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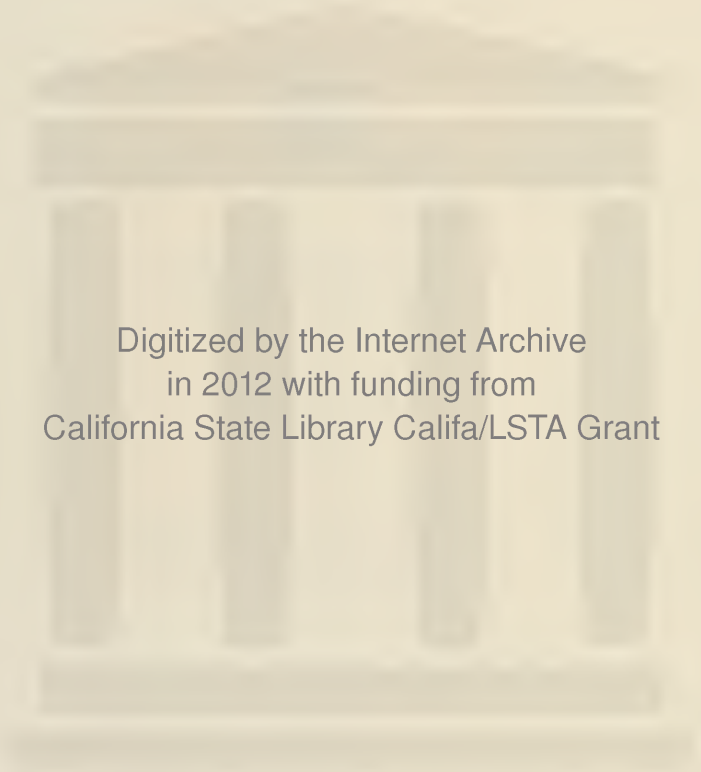
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SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, January 8, 1970. The City Planning Commission met pursuant to notice on Thursday, January 8, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mortimer Fleishhacker, President; James S. Kearney, Vice President; William M. Brinton, James J. Finn, Thomas J. Mellon, Walter S. Newman, and Mrs. Charles B. Porter, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Robert Passmore, Assistant Zoning Administrator; Samuel Jung, Planner IV; Marie Carlberg, Planner III; Daniel Sullivan, Planner III; Patricia Sheehan, Planner II; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the minutes of December 4, 11, and 18, 1969, be approved as submitted.

At this point in the proceedings, Commissioner Kearney arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, announced that the City had just received a grant from the U.S. Department of Housing and Urban Development in the amount of \$142,530 for the South San Francisco Opera House, which coupled with funds in the amount of \$140,430 from the Urban Beautification Program, will make it possible to accomplish the following projects:

1. Purchase the Opera House and Masonic Hall
2. Demolish the Masonic Hall
3. Historic preservation of the Opera House
4. Development of an urban plaza on the Masonic Hall site

The Director also advised the Commission that the Finance Committee of the Board of Supervisors had given a "do pass" recommendation for the appropriation of the 1967-68 and 1968-69 urban beautification grants in the total amount of \$1,091,942.

The Director informed the Commission that he had met with the Joint Venture Architects to review final plans for the reconstruction of Market Street and preliminary design plans for the Civic Center Station. He indicated that preliminary designs for the Powell Street Station have not yet been started.



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The Director reminded members of the Comprehensive Plan Committee (Commissioners Kearney, Newman, Porter) of a meeting scheduled at 2:00 p.m. next Friday, January 16.

The Director informed the Commission that the public hearing on the proposed Market Street Sign Ordinance has been scheduled for the Commission's Regular Meeting on January 29.

The Director distributed copies of a draft resolution which he had prepared to extend the date of the public hearing on the Pacific Medical Center's master plan from March 5, 1970, to June 4, 1970. He stated that the extension had been requested by Raymond L. Hanson of the Medical Center; and he indicated that he had no objection to the extension provided that the Medical Center would allow sufficient time for review of the master plan before submitting plans for specific buildings. After discussion it was moved by Commissioner Porter, seconded by Commissioner Brinton, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6464.

Commissioner Brinton read a prepared statement to the Commission as follows:

"Today will be the last day I expect to be present as a member of this Commission. On March 7, 1964, I was appointed as a member of the Planning Commission by former Mayor John F. Shelley and re-appointed by him on January 15, 1966. For two years, I served as President, and I have tried at all times to serve the public interest of all the people of San Francisco.

During the period of almost six years as a member of the Planning Commission, San Francisco has undergone dramatic social and physical change. While the number of downtown office buildings has multiplied, the number of its residents who are ill-housed has also multiplied. It is said by some that economic development of the financial district, the waterfront and other sensitive areas must proceed rapidly and without apparent regard for the open space so essential to the future of this great city. However, over the last six years, decent housing at a price within the reach of an increasing number of San Franciscans has been virtually ignored.

The current inventory of public housing is less than 6,000 units, and housing for families of moderate income, and housing suitable for families with children has been built only in limited quantities. In the meantime, the housing construction slowdown has increased the competition for existing units and made the removal of substandard housing more difficult. Rents are rising, and inflation makes it difficult if not impossible for families of moderate income to live in San Francisco except on welfare.



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I hope that my successor on this Commission, whoever he may be, will give major attention to this problem. He should help change the growing imbalance between more and more office space and less and less housing for families of low and moderate income. In doing so, he will receive the help of a really great Director of Planning and a dedicated staff of professionals within the Department of City Planning.

Having been advised informally that Mayor Alioto does not intend to re-appoint me to the Planning Commission when my term expires on January 15, I feel impelled to offer my reasons for making a statement on the subject. On June 26, 1969, the Planning Commission, by a 4 to 3 vote, approved vacation of a part of Merchant Street to clear the way for construction of the Transamerica Building. Immediately before this meeting, Mayor Alioto sent a letter to each member of the Commission. It stated in part: 'My recommendation is that the Commission approve the closing of Merchant Street.'

It was then and still is my position that the Planning Commission, under the City Charter, acts in an advisory capacity in planning matters to the Board of Supervisors and other city departments, including the Mayor's office. Accordingly, I considered the Mayor's letter as unwarranted interference in the affairs of an independent city agency. If a member of the Board of Supervisors had written a similar letter to each member of the Commission, he could, under Section 22 of the City Charter, be charged with official misconduct. In 1946, the Supreme Court of this state said 'the framers of the charter intended a division or separation of powers as between the board of supervisors, and the executive and administrative heads and departments.' In my view, the Mayor's letter was inconsistent with this principle of a separation of powers.

Later, Transamerica revised its plans and asked for vacation of more of Merchant Street. It also applied for a conditional use covering parking. Finally, when it became apparent that Transamerica would obtain all the necessary permits, I wrote a letter to Mayor Alioto dated December 19, 1969. A copy of this letter and his reply, dated December 31, 1969, are attached and self-explanatory.



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In stepping down from this Commission, I do so with a sense of regret that I will no longer share with my fellow Commissioners the job of helping solve the difficult problems ahead. Despite some differences of opinion from time to time, I have enjoyed serving with them and wish each one of them well. In particular, I want to express my thanks to Allan Jacobs, our excellent Director of Planning and the dedicated staff of the Department, all of whom have contributed so much, both to my education and to the City of San Francisco. Thank you for your help and best wishes for the future."

During Commissioner Brinton's statement, Commissioners Finn and Mellon arrived in the meeting room and assumed their seats at the Commission table.

Commissioner Porter reminded Commissioner Brinton that a former mayor had invited members of the Commission to a luncheon at which he had requested their support of a freeway which was being proposed; and, in spite of that meeting, at least one member of the Commission had felt free to vote against the freeway when the issue was formally before the Commission. The same mayor had telephoned members of the Commission to ask that they support redevelopment plan changes for The Embarcadero center. Commissioner Porter felt that the Mayor, who appoints the members of the City Planning Commission, has a perfect right to tell the members of the Commission of his thoughts on any particular matter; however, when those matters are before the Commission for a vote, each individual member of the Commission must use his own judgment. She believed that the Transamerica Building proposal had been a highly emotional issue; and she felt that Commissioner Brinton's emotion had overcome his judgment.

After discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6465 be adopted expressing the Commission's gratitude to Mr. Brinton for his years of service to the community. Commissioner Brinton abstained from voting.

R69.60                      Surplus property inquiry Lot 50,  
                                 Block 2612, Roosevelt Way and Henry Street.

Samuel Jung, Planner IV, reported on this matter as follows:

"Roosevelt Way was constructed in the 1920's as a new street between Buena Vista Park and Corona Heights with an easier grade than the existing streets, and what is now Lot 50, Block 2612 was acquired for the new street. Lot 50 is situated on the bend in Roosevelt Way just south of 14th Street and extends to the dead end of Henry Street. Portions have been sold from time to time but approximately 14,000 square feet has been kept in City ownership for slope protection for



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Roosevelt Way; the portion abutting Roosevelt Way is a 1-1/2 to 1 fill slope. The property is in the R-3 zoning district; adjacent properties to the south are R-2.

A stairway descends through the property from Roosevelt Way to Henry Street. Mature trees at the bottom of the slope north of the stairway give the dead end of Henry Street considerable charm. Young trees have been planted on the upper slope as a part of the Federally Assisted Code Enforcement Program. The inbound motorist on Roosevelt Way has a good view of the eastern part of the City thanks to this unbuilt-on slope.

South of the stairway the slope is not as steep; four lots with frontages on 15th Street back on the property, and three have garage entrances accessible across it. In 1937, the owners of the three (Lots 22, 23, and 24) were each deeded the small portions of the City property adjacent to their garages with easements over the portions each other received, plus easements over a very small portion at the entry point to the property from Henry Street. The entry point between the stairway and the sidewalk is about 3 feet wide, just enough for a car to get through.

Here at the dead end, the Henry Street roadway narrows to a width of 16 feet because of a retaining wall on the north side. The City property south of the stairway makes a convenient place to turn around.

In the 1937 transaction the owner of Lot 21, the lot closest to Henry Street, did not receive any easement or the small portion of City property adjacent to his lot, possibly because he had no rear garage. The owner of Lot 21 has originated the surplus property inquiry. He would like to legalize his access over the City property to his rear yard. This could be done by granting him an easement for access over the small parcel at the entry point, Parcel 1 on the attached sketch, and by granting him the area adjacent to his rear yard, Parcel 5, subject to certain conditions. The owners of Lots 22, 23, and 24 should also receive easements over Parcel 5. Parcel 5 should not be built upon or fenced for although from the viewpoint of the owner of Lot 21 it might be the logical place to construct a garage, a garage at this point would be detrimental to the access of the other owners.

The remainder of the City property, the greatest portion of Lot 50, should be retained in public ownership for slope and view protection for Roosevelt Way."



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The Secretary read a portion of a letter which had been received from Agnes H. Quigley, owner of Lots 23 and 24, as follows:

"It is unthinkable to me that an allowance for parking be granted as a permanent condition to the owners of Lot 21 if the rear yard is maintained in its present condition and unless a proper garage is built to house the cars and unless a proper pavement is installed. There is no pavement over parcels 1, 2, and 5. During the winter rains, the area becomes very muddy. About two years ago, with the cars going over the terrain, the areas designated as parcels 2 and 5 developed gullies which needed immediate repair. I had a strip of concrete applied to these two parcels and paid for the work myself, as there seems to be no clear understanding as to who is responsible for the maintenance of the parcels involved. These two parcels do not adjoin property that I own. If Lot 21 is continued in its present use, there will be considerable run-off of topsoil during the rainy season."

Miss Quigley, who was present in the audience, reiterated her request that a requirement be set for paving of parcels 1 and 5.

The Director doubted that the Commission would have the authority to require that the property be paved; however, he did recommend that the owner of Lot 21 be given an easement for access over parcel 1 and that he granted parcel 5 for proper consideration on the express condition that the property shall not be fenced or have a garage or other structure built upon it. He also recommended that the City should retain an easement for light and air over parcel 5 and that the City should grant easements for access to the owners of Lots 22, 23, and 24 across parcel 5. He recommended that the remainder of Lot 50 be retained in public ownership for slope and view protection for Roosevelt Way.

President Fleishhacker noted that other conditions had been recommended by the Director; and he felt that the Commission should also recommend that a requirement be set for paving of the properties if they were to be sold. He then asked the applicant if he would have any objection to providing the paving. Mr. Zimmer, the applicant, replied in the negative; however, he pointed out that the origin of the mud problem was on properties located higher on the hill whereas the specific parcels of property in question were mostly solid rock.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Finn, and carried unanimously that the Director be authorized to submit the following report:

"The City should grant the owner of Lot 21, Block 2612, an easement for access over parcel 1 as shown on the attached sketch, and should grant him parcel 5, for proper consideration, on the express condition, subject to specific forfeitures, that the property shall not be fenced or have a garage or other structures built upon it but that the owner of Lot 21 shall provide



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suitable surfacing acceptable to the Director of Property for parcel 1 and for the part of parcel 5 which is used for driveway purposes; that the City should retain an easement for light and air over parcel 5; and that the City should grant easements for access to the owners of Lots 22, 23, and 24, Block 2612, across parcel 5. The City should retain the remainder of Lot 50, Block 2612, in public ownership for slope and view protection for Roosevelt Way."

At 2:55 p.m. President Fleishhacker announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 p.m. for hearing of the remainder of the agenda. Commissioners Finn, Kearney, and Mellon were temporarily absent from the meeting room.

CU69.54           Harkness Hospital, 1400 Fell Street,  
north line, between Lyon and Baker  
Streets.  
Request for expansion and modernization of present facilities and construction of a one-story addition to existing structures in the inner courtyard; in an R-4 district.  
(Under Advisement from Meeting of December 4, 1969).

Allan B. Jacobs, Director of Planning, stated that the Harkness Hospital had obtained additional funds for new building construction which might change the nature of the proposed Master Plan; and, for that reason, the Administrator of the hospital had requested that the subject application be continued under advisement for an additional month. After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that Application CU69.54 be continued under advisement until the meeting of February 5, 1970.

At this point in the proceedings, Commissioners Finn and Mellon returned to the meeting room and reassumed their seats at the Commission table.

ZM69.23           Children's Hospital garage and 3822  
through 3844 California Street, north  
line, west of Geary Boulevard.  
R-4 to an R-4-C district.

The Secretary read a letter which had been received from Gerald R. Moller, Assistant Administrator of Children's Hospital, stating that the recent holidays had made it impossible to meet sufficiently with the owner of the Fantasia Bakery to resolve the issue which had arisen during the meeting of December 4 and requesting that further consideration of the application be postponed for one month.



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After discussion, it was moved by Commissioner Porter, seconded by Commissioner Brinton, and carried unanimously that Application ZM69.23 be continued under advisement until the meeting of February 5, 1970.

CU69.62                      Bush Street, southwest corner of  
                                 Trinity Street.  
                                 Request for a four-hundred-stall  
                                 parking garage in a C-3-0 district  
                                 in conjunction with a new thirteen-  
                                 floor office building.

Robert Passmore, Assistant Zoning Administrator, referred to land use and zoning maps to describe the subject property. He stated that the proposed parking garage would occupy 63.4 percent of the gross floor area of the proposed office building; and, since the City Planning Code provides that provision of off-street parking in excess of 7 percent of the total gross floor area of a building constitutes a major parking garage and requires approval as a conditional use, the applicant had been required to bring his proposed project before the Commission for review.

At this point in the proceedings, Commissioner Kearney returned to the meeting room and reassumed his seat at the Commission table.

Richard Savarri, attorney for the applicant, stated that the proposed garage would accommodate only 68 more automobiles than the garage which presently exists on the site; and, therefore, approval of the subject application would not substantially change the character of the use of the site. He stated that three existing buildings would be razed to allow construction of a new building of modern design which would incorporate the proposed garage. The ground floor of the new building would be occupied almost completely by shops and restaurants; and the traffic pattern for the garage had been worked out in detail with the Traffic Engineering Bureau of the Department of Public Works. The garage would be given an acoustic treatment so that it would not carry disturbing noises to the proposed offices; and he believed that the acoustic treatment would keep the garage noises from the street. In conclusion, he stated that the architect for the project was present in the audience to answer any questions which might be raised by members of the Commission.

President Fleishhacker asked if the entrance to the garage would remain in the same location as at the present time. Mr. Savarri replied in the affirmative. He noted, however, that the new garage would have a semi-attendant type of parking operation; and, as a result, he believed that cars would be able both to enter and to leave the building faster, thus lessening the amount of congestion on the street.

Mr. Passmore confirmed that representatives of the Traffic Engineering Bureau of the Department of Public Works had indicated orally that plans for the garage had been found to be acceptable.



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Lewis Lindsay, representing the transportation committee of the Citizens Planning Committee, felt that new office buildings in the downtown area should be designed so as to encourage the use of transit rather than the use of private automobiles by people who will be working in the buildings. Particularly since the proposed building would be located so near to Montgomery Street, he felt that use of such a large portion of the building for automobile storage would be undesirable.

The Director recommended that the application be approved subject to three conditions which were contained in a draft resolution which he had prepared. He noted that the proposed building would incorporate a portion of the existing garage and would thus result in a minor expansion of the present parking capacity of the site. He noted that the subject site is located toward the edge of the C-3-0 district and would not require penetration of the downtown core area for access; and, since the building had been designed so that most of its ground floor frontage would be devoted to shops or other pedestrian uses, the garage would not be a visual intrusion into the office nature of the downtown area. After reviewing the conditions contained in the draft resolution, he recommended its adoption.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as Resolution No. 6466 and that Application CU69.62 be approved subject to the conditions contained in the draft resolution.

At 3:25 p.m. President Fleishhacker announced a five-minute recess. The Commission reconvened at 3:30 p.m. and proceeded with hearing of the remainder of the agenda.

CU69.64

All of the blocks bounded by:

- 1) Griffith Street, Armstrong Avenue, Fitch Street and Bancroft Avenue;
  - 2) Griffith Street, Armstrong Avenue, Bancroft Avenue and Hawes Street;
  - 3) Griffith Street, Bancroft Avenue, Hawes Street, and Carroll Avenue;
- and a portion of the block bounded by Bancroft Avenue, Hawes Street, Carroll Avenue, and Ingalls Street.  
Request for an automobile wrecking yard in an M-1 district.

Robert Passmore, Assistant Zoning Administrator, referred to land use and zoning maps to describe the subject property and remarked upon the proximity of the property to the Alice Griffith Garden Apartments, a public housing project located south of Carroll Avenue. He stated that the applicants proposed to use the subject property for an automobile wrecking yard development; and he displayed a rendering of the manner in which the applicants proposed to improve and to use the site. He noted that the rendering indicated the vacation of a portion of Bancroft Avenue, but that the applicant had not yet formally requested such a street



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vacation. The proposal had come before the City Planning Commission in accordance with a recent amendment to the City Planning Code providing that automobile wrecking yards are permitted only as conditional uses in M-1 zoning districts; and he noted that when the Commission had recommended adoption of that ordinance it had also adopted Resolution No. 6358 setting forth guidelines which would be used in reviewing conditional use applications for automobile wrecking yards. Those guidelines had been outlined in the case report on the subject application which had previously been mailed to members of the Commission. In conclusion, he noted that the subject property is located within the South Bayshore Study Area; and he pointed out that the South Bayshore Plan had proposed an important new major street which would be made up of the right-of-way of Bancroft Avenue which bisects the site presently under consideration.

Alan Axelrod, attorney for the San Francisco Auto Dismantlers Association, advised the Commission that 32 independent businessmen, most of whom are now located in Butchertown, constituted the membership of the Association. He stated that one-third of the businessmen as well as one-third of the employees hired by the members of the organization are members of minority groups. Approximately 200 people employed as automobile dismantlers in the Butchertown area will soon be displaced for the Redevelopment Agency's project; and the facility which his clients were proposing to construct would employ more than 200 people.

Mr. Axelrod remarked that the problem of automobile disposal is one of nation-wide concern; and he emphasized that the presence of automobile wreckers in San Francisco is particularly necessary because local scrap metal processors do not have adequate facilities for clearing the titles on wrecked automobiles or for doing the actual dismantling work.

Mr. Axelrod noted that the recent amendment to the City Planning Code concerning automobile wrecking yards had not been directed towards the objective of removing wrecking yards from the City; rather, the legislation had emphasized the importance of proper location and proper screening of automobile wrecking yards. As a result, his clients had attempted to bring forth a project which would have many similarities to the new Farmers' Market. The Association would act as the master tenant for the project, installing streets and other improvements and policing the individual tenants who would occupy portions of the project. Signs throughout the project would be uniform; and the site would be surrounded with a fence and landscaped with fast-growing plants which would require little maintenance. In addition, the Association would be willing to assist the City in landscaping a strip along Carroll Avenue as recommended in the South Bayshore Plan to further screen the wrecking yards from adjacent properties.

Mr. Axelrod imagined that many people might be of the impression that automobile wrecking yards eventually become "graveyards" for old automobiles; however, in cities such as San Francisco, that is not the case. The proposed project would be much smaller in area than the combined space presently available to the dismantlers in Butchertown; and, as a result, automobiles would have to be dismantled and moved out quickly to make use of the site economical. In conclusion, he distributed photographs of the subject site and of surrounding industrial facilities.



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President Fleishhacker advised Mr. Axelrod that members of the Commission had taken a field trip to the subject site.

Roy Anderson advised the Commission that it was his responsibility to coordinate the proposed project which would involve approximately eleven acres of land. The members of the Association had been aware that they would have to conform to the City Planning Code amendment and that they would have to develop a proposal for a uniform and well-designed industrial park if they were to obtain authorization for an automobile wrecking yard in San Francisco; and he believed that the project which was being proposed would compare favorably with industrial plants along Army Street or at Islais Creek, the only two decent industrial locations in the City. For purposes of uniformity and economics, colored metal buildings had been designed which would be used by each of the dismantlers occupying space within the project. The front of the buildings would contain offices and sales counters for two automobile wreckers; and lean-tos would be provided at the rear of the buildings for the actual dismantling process. He assured the Commission that no automobile wrecking activities would take place on the streets adjacent to the project; and, while the guidelines previously established by the Commission had specified that cars should not be stacked more than two-high on automobile wrecking lots, no stacking whatsoever would take place within the proposed project. He stated that the entire area would be surrounded by a chain link fence with wood slats; and he indicated that such a fence would provide more security than a wood fence and that it would be more attractive than an all metal fence which might become unsightly very quickly.

Mr. Anderson stated that the subject property had been chosen as the site of the proposed project both because of its size and because of its cost. Only four or five other parcels of property are available in the City which would be large enough for the operation; and property in the subject neighborhood has a lower value than properties in other parts of the City. If the project could be constructed as proposed, it would save the jobs of approximately 200 people who will be dislocated from the Butchertown area; and he believed that it would upgrade the subject neighborhood, encouraging other industries to locate in the area. In planning the project, the Association had followed the guidelines which had been established by the Commission for the protection of adjacent industrial and residential areas; and, in negotiating leases with the prospective tenants of the project, a clause would be inserted to specify that the individual operators would be responsible for repairing any damage which might occur on the property. Mr. Anderson estimated that traffic to the project would consist of only 7 1/2 cars per unit per day or 150 cars total; and he remarked that an equal volume of traffic would pass the intersection of Third Street and Carroll Avenue in an eight-minute period. Under the circumstances, he felt that it was obvious that the proposed project would not add substantially to traffic congestion in the area.

President Fleishhacker asked about the hours of operation of the proposed project. A member of the Association replied that the project would be in operation from 8:00 a.m. to 6:00 p.m. seven days a week.



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Mr. Anderson stood again to advise the Commission that the proposed project would be completed approximately nine months following its approval by the City.

Jack Dorsey, president of the San Francisco Auto Dismantlers, stated that the Association had been organized for approximately one year and that its primary purpose was to improve the automobile dismantling industry. He stated that the automobile dismantlers wish to stay in business in San Francisco; and, to that end, they had worked and would continue to work with the various City departments involved. He felt that the proposed project would be an asset to San Francisco in much the same way as Farmers' Market; and, through its construction, it would enable the automobile dismantlers to continue to provide a public service to the City.

Commissioner Brinton asked how many automobile wrecking yards are presently located outside of the Butchertown Redevelopment Project area. Mr. Dorsey replied that three very large companies are located just outside of the boundaries of the redevelopment project area, and three additional companies are located in the vicinity of the site presently under consideration..

Mr. Axelrod noted, however, that some of the operations which had been mentioned by Mr. Dorsey are located in the path of the proposed Hunters Point Freeway.

Commissioner Brinton then inquired about the zoning of the existing automobile wrecking yards. Mr. Dorsey replied that he believed that the yards are located in M-2 zoning districts; however, under the provisions of the City Planning Code as amended, even those yards would have to come before the Commission to request conditional use authorization in the very near future.

Captain Zaragosa, representing the San Francisco Police Department, stated that the Police Department was anxious to retain automobile wrecking activities in San Francisco because of the problem faced by the City in trying to keep its streets free of abandoned automobiles.

Mrs. Andrew Gallagher, president of the Southern Improvement Association, stated that she was very interested in the project which had been presented to the Commission.

James Murray, representing the Chamber of Commerce, stated that the Chamber of Commerce had worked closely with the Hunters Point Community to achieve a new industrial park in Butchertown; and they had found the relocation of the automobile dismantlers to be one of the key road blocks to the Industrial Park Project. He stated that he had attended the meeting of the Model Cities Agency which had been held on the previous evening; and he shared the concern of residents of the area about the proposed wrecking yard project and their interest in having the project developed in accordance with standards which would protect adjacent areas. However, he hoped that the City Planning Commission would do everything possible to resolve the dilemma with which it was faced.



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President Fleishhacker asked if the Chamber of Commerce had taken a stand in favor of or in opposition to the proposed automobile wrecking yard. Mr. Murray replied in the negative, stating that the Chamber was primarily concerned about the necessity of proceeding with plans for the new industrial park. With regard to the automobile wrecking yard, the Chamber would be prepared to support the Model Cities Agency in any stand which it might take on the proposal.

Commissioner Mellon asked if the Automobile Dismantlers Association had reviewed all other possible sites for the proposed facility. Mr. Axelrod replied that a list of possible sites had been obtained from the Redevelopment Agency; and those sites, as well as others, had been discussed with the staff of the Department of City Planning. Since installation of such a facility on the Bay side of the proposed Hunters Point Freeway would conflict with the South Bayshore Plan, it had become obvious that the subject site was the only one available which would be suitable for construction of the proposed project. He acknowledged that small scattered sites might be available in other areas which could be used by individual dismantlers; however, he emphasized that no other sites large enough for the unified type of operation being proposed seemed to be available.

Mrs. Gallagher advised the Commission that soil conditions on the subject properties would make it impossible to construct anything except steel buildings; and, as a result, she felt that use of the property for the project being proposed would be desirable.

President Fleishhacker then asked for a show of hands of members of the audience who were present in support of the subject application. A majority of the people present in the meeting room responded.

John Bledson, owner of an automobile wrecking firm, felt that many people mistakenly regard automobile dismantlers as the dirtiest of people; but in truth they are small businessmen who are working as hard as anyone to earn a living. The congestion and the odors which typify the industrial district of the City are decidedly not caused by the automobile wreckers. Despite physical limitations, he had attempted to do honest work and had maintained a good record; and he hoped that the Commission would give him a chance to continue his business in San Francisco by approving the subject application.

Reginald Ricci, representing the Ricci and Kruse Lumber Company located at Hawes Street and Armstrong Avenue, stated that he had received no notice of the hearing scheduled before the Commission and had not had an opportunity to find out a great deal about the proposed project. He was anxious to determine whether the proposed project would create a fire hazard or be a police problem; and he wished that the Commission would defer action on the application until he had determined whether he wished to oppose the application.

Mr. Anderson stated that there is a fire hazard associated with automobile wrecking yards; however, fires are as damaging to the interests of the automobile dismantlers as they would be to adjacent property owners. He advised Mr. Ricci that his association proposed to install new streets and sewers and to add water mains in the area; and an eight-foot fence would be constructed around the perimeters of the automobile wrecking yard project.



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Mr. Jack Speckman, of M.J.S. Investment Co., advised the Commission that he represented two parcels of property located within three hundred feet of the subject site. Since he had been out of town over the holidays, however, he had not had an opportunity to meet with other neighbors to discuss their mutual points of opposition to the proposed project. He felt that the proposed project would greatly increase traffic in the area. Furthermore, property owners in the area are using their own money to pave Bancroft Street between Ingalls and Jennings; and they would not want the new street to be used for hauling wrecked or abandoned automobiles.

President Fleishhacker asked Mr. Speckman if he would be opposed to any development of the subject site. Mr. Speckman replied in the negative and indicated that he hoped that the property would be developed with buildings similar to others now in the area.

Merton Jones, owner of property located on Carroll Avenue across the street from the subject site, stated that he had not received the notice of the Commission's Hearing -- nor had he had an opportunity to gain a clear understanding of the proposal. However, he had joined a number of other owners of properties which are already developed in being generally opposed to the proposed project, and submitted a petition signed by 47 persons in opposition to the subject proposal. Based on the conditions which he had observed at other automobile wrecking yards, he had little confidence in the promises made by the applicants that the fence and plantings which would surround the site would be maintained; and, if the appearance of the property were allowed to deteriorate, property values in the area would fall lower than at present and the City would inevitably be faced with responsibility for another renewal project similar to that being undertaken in Butchertown. He acknowledged that soil conditions in the area would exclude some types of businesses; however, the earth would support construction of steel or concrete buildings similar to those which had been constructed on adjacent sites. He stated that Carroll Avenue is used as a major exit road from Candlestick Park; and, if that street were cluttered with wrecked automobiles, serious congestion problems could develop. He doubted that the Auto Dismantlers Association would have sufficient self-discipline to control the undesirable features of the proposed use; and, for that reason, he urged that the application be disapproved.

Elizabeth Sallein stated that she, also, opposed the subject application. She agreed with previous speakers that a project of the size and type proposed would be a fire hazard and that it would probably be an unattractive operation since she had never yet heard of a self-policing policy which had worked in practice. Furthermore, she pointed out that many people live on the hill above the subject site and would have to look at it from their homes.

Mrs. Waltham, a resident of the Alice Griffith Garden Apartments, felt that the proposed use would be undesirable for the subject site. She felt that it would be a dangerous attraction for children in the neighborhood; and she did not wish to have to look at such an operation from her bedroom window.



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L. P. Lewis, Executive Director of the Bayview Hunters Point Model Neighborhood Agency, stated that his agency had met on the previous evening to consider the proposed project and had determined that more time would be necessary for study and consideration of the relationship of the proposal to the Model Cities' comprehensive plan. At the conclusion of the meeting, his agency had adopted an official recommendation as follows:

"The Bayview-Hunters Point Model Neighborhood Agency is recommending that the San Francisco Planning Commission take no affirmative action on case No. CU69.64 until it receives a formal recommendation from the Bayview-Hunters Point Model Neighborhood Agency."

Commissioner Kearney asked how long a time might be required before the Model Neighborhood Agency would be able to reach a formal recommendation regarding the project. Mr. Lewis replied that it would be difficult to estimate the amount of time which would be required since there was a lot of sentiment regarding the proposal in the community.

Commissioner Brinton asked if the plans of the Model Neighborhood Agency have progressed to the point where they would accept M-1 Zoning for the subject site. Mr. Lewis responded that most of the recommendations of the Department of City Planning's South Bayshore Plan were being included in the formal submission of the Model Neighborhood Agency which would be presented on February 1.

The Director, noting that the Model Neighborhood Agency had recommended that the City Planning Commission take no "affirmative action" on the subject application, asked if the agency would be willing to accept a negative action on the part of the Commission. Mr. Lewis replied his agency did not wish the Commission to approve the subject application.

A member of the audience who owns property on the 1300 block of Gilman Avenue agreed that the proposed use of the subject site might not be desirable, particularly because the property is located near to a park and to the Bret Harte School and might pose problems with regard to children in the area. However, since the automobile dismantlers were being dislocated from the Butchertown area and would have to find new locations for their businesses, he felt that constructive suggestions should be offered by people speaking in opposition to the subject application. His own suggestion was that it might be possible to use the large open spaces beneath freeways which are now being built for automobile dismantling purposes; and he suggested that discussions should be held with the State of California with regard to the feasibility of such an approach.

Mr. Lewis clarifying the position of his agency, informed the Commission that his agency was recommending only that no action be taken on the subject application during the course of the present hearing.



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Clarence E. Murphy, a tenant of property located within three hundred feet of the subject site, noted that traffic on Carroll Avenue is restricted on many occasions because of the baseball games at Candlestick Park; and he did not think that it would be possible for an industry such as the one being proposed to operate under such circumstances. In any case, if additional automobile wrecking yards were allowed to become established in any part of San Francisco, he felt that fences with a height of at least twenty feet should be required.

Deloss Wood, Vice President of the Peeters Transportation Company, advised the Commission that his firm is one of five major van lines which maintain warehouses in the vicinity of the subject property; and, on behalf of those firms, he requested that the subject application be taken under advisement for one month to allow further study of the proposal.

President Fleishhacker asked Mr. Wood if he would be opposed to construction of any new industry on the subject site. Mr. Wood replied in the negative. However, his firm had attempted to maintain a high standard of operation; and they wished to have an opportunity to give further study to the program of the Auto Dismantlers Association before taking a stand on the issue.

Michael Fischer, Associate Director of the San Francisco Planning and Urban Renewal Association, stated that his organization had favored the amendments to the City Planning Code regarding automobile wrecking uses and had supported the guidelines which had been adopted by the Commission for review of conditional use applications for automobile wrecking yards. One of the most important guidelines which had been established by the Commission was that wrecking yards should be located not less than 500 feet away from residential property; and he noted that the yard presently under consideration would not meet that requirement. He also stated that SPUR had supported the proposed South Bayshore Plan with minor modifications; and he noted that the Plan had singled out the area presently under discussion for special attention. Under the circumstances, he felt that the Commission should do nothing to preclude opportunities for improving the quality of the subject neighborhood; and, as a result, he urged that the subject application be disapproved.

Commissioner Brinton suggested that it would be appropriate for the Commission to take the matter under advisement so that residents and property owners in the area could have further opportunity to determine their reactions to the proposal. Mr. Fischer stated that SPUR would have no objection to such a continuance.

Commissioner Mellon asked Mr. Axelrod if he felt that his clients could meet the guidelines which had previously been adopted by the City Planning Commission. Mr. Axelrod replied that his clients had intended to meet those guidelines in the plans which they had submitted.

Darwin Bryan, an attorney for Mrs. Zimmerman, owner of property in the subject neighborhood, stated that his client had pioneered in the area and had paid for the paving of Yosemite, Ingalls, Armstrong, and other streets in the area. He had not learned of the scheduled Commission hearing until the previous evening; and, while his initial reaction to the proposal was negative, he wished to have more time to learn more about it before taking a definite stand.



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Arthur Evans, representing the San Francisco Redevelopment Agency, stated that his agency wanted to work with all parties involved and did not wish to appear in opposition to the subject application. He emphasized that the relocation of the automobile wreckers is a real problem; and he indicated that he was both impressed and surprised at the ability of the automobile dismantlers to band together and to formulate such a cohesive plan as was now being presented to the Commission. If the subject application were to be approved by the Commission, he felt that the proposed project should be open to all automobile wreckers and not to just a few since all automobile wrecking yards in San Francisco should eventually be located in the same area. If the project were to be carried out properly, he felt that it could result in a development which would not be inconsistent with existing permanent features in the area.

Commissioner Porter asked if the Redevelopment Agency is legally responsible for the relocation of industries such as automobile wrecking or if its responsibilities are limited to residential relocation. Mr. Evans replied that the Agency is legally responsible only for residential relocation; however, he stated that the Agency does feel a moral obligation for the relocation of the automobile wreckers.

The Director stated that he felt that nothing would be gained by taking the subject application under advisement for any length of time for he believed that the staff recommendation for disapproval would not be changed by such a delay. He noted that the proposed project did not meet the Commission's guidelines that automobile wrecking yards should be located more than 500 feet away from residential properties; and he doubted that the screening which would be provided by the applicants would be sufficient to overcome that objection. While the residential property in question is a public housing project, he felt that should make little difference since people living in any type of housing would not want to have such a use located directly across the street from their homes. The proposed project would also conflict directly with the South Bayshore Plan since it would straddle Bancroft Avenue which had been recommended as a major thoroughfare. When people are relocated from slums with no proper relocation resources and placed in other areas without sufficient planning, the result is usually the creation of more slums in other locations; and he felt that the same principles were applicable to the relocation of industrial uses as to relocation of families. Although he regretted that the Model Cities Agency had not yet reached a conclusion regarding the proposed project, he noted that the staff of the Department of City Planning had worked long and hard with the people of the South Bayshore area in developing the staff report on this area; and he did not feel that it would be possible for the Department or Commission to keep faith with people in the area and to approve the subject application at the same time. He distributed copies of a draft resolution of disapproval which he had prepared and recommended its adoption.

President Fleishhacker asked if the staff of the Department of City Planning had given consideration to other sites which might be suitable for wrecking yard use. The Director replied that the staff had thought of some possible sites; however, the burden of locating a suitable site would ultimately rest with the applicants.



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Commissioner Brinton asked if the South Bayshore Plan contemplated continuation of M-1 Zoning for the subject site. The Director replied in the affirmative; however, in preparing guidelines for the review of conditional use applications for automobile wrecking yards, the staff of the Department of City Planning had foreseen that the type of use being proposed would be undesirable on the subject property.

Commissioner Mellon asked Mr. Evans if he felt that construction of the proposed automobile wrecking yard would constitute a major improvement in the subject neighborhood. Mr. Evans replied that he was not well acquainted with the plan; however, if the applicants were to install new sewers, water mains, and street paving in the area, he felt that there was no question but what the project would constitute a major improvement.

Commissioner Porter asked Mr. Axelrod if he had been in touch with the Department of City Planning, if he had discussed the Commission's guidelines with them, and if he had been advised of the problem posed by the fact that the subject property is located at a distance of less than 500 feet from the residential area. Mr. Axelrod replied that the only residential buildings in the area, the Alice Griffith Garden Apartments, are oriented southwards and eastwards with a major entrance from Gilman Avenue; furthermore, only the second floor windows of four of the apartment buildings in the project would overlook the proposed wrecking yard. In addition, the screening and planting which would be installed by the auto dismantlers would serve to obscure the view of the wrecking yard from those windows. In any case, he doubted that it would be possible to find any location for an automobile wrecking yard in San Francisco which would not be situated within 500 feet of residential buildings.

The Director advised the Commission that Mr. Steele, the Zoning Administrator, had addressed a letter to Mr. Axelrod on September 16, 1969, stating that the staff of the Department of City Planning had reviewed a perspective sketch which had been submitted to the Commission showing a proposed auto dismantling complex on the subject site and advising Mr. Axelrod that the staff believed that the site would be inappropriate for the proposed use because of the resulting adverse influence on the adjacent public housing project which looks down onto the subject area and also on future industrial uses that would be more suitable for the area. This same general advice concerning the subject site was given to the Board of Supervisors by an earlier letter dated June 6, 1969.

President Fleishhacker noted that the guidelines which had been adopted by the Commission had specified that wrecking lot yards should not be located less than 500 feet from any residential area but indicated that exceptions could be made where there are intervening uses or exceptional uses due to topography or screening; and he wondered if the situation presently under review could be considered exceptional in that regard. The Director replied in the negative and re-emphasized that the subject property is located too close to the housing project to be acceptable.

Commissioner Brinton asked if the applicants felt that they would still have a feasible project if the scale of the proposed automobile wrecking yard were to be reduced. Mr. Axelrod replied that he would be in favor of trying to make a



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smaller project feasible. However, since he represented a large group of individuals, he could not conjecture on their feelings on the matter. The Director indicated that a smaller project could be considered under a new conditional use application.

After further discussion, Commissioner Brinton moved that the application be taken under advisement and that it be returned to the Calendar on a mutually agreeable future date. The motion failed for want of a second.

Subsequently, it was moved by Commissioner Kearney and seconded by Commissioner Newman that the subject application be disapproved. Commissioner Kearney remarked that a time element was involved insofar as the automobile dismantlers would definitely be removed from the Butchertown Redevelopment Project area at an early date; and, under the circumstances, he felt that it would be better for the Commission to deny the subject application during the present meeting rather than to wait for an indefinite period of time before reaching a decision which might still be negative.

After further discussion the question was called, and the Commission voted 5 - 2 to adopt Resolution No. 6467 and to disapprove the subject application. Commissioners Brinton, Fleishhacker, Kearney, Newman, and Porter voted "Aye"; and Commissioners Finn and Mellon voted "No."

CU69.65      Fairmont Hotel, block bounded by  
California, Mason, Sacramento, and  
Powell Streets.  
Request for expansion of existing  
restaurant at southwest corner of  
hotel in an R-5 Special Use District.

Robert Passmore, Assistant Zoning Administrator, referred to land use and zoning maps to describe the subject property, noting that it is located in the Nob Hill Special Use District which was designated to permit incidental commercial uses in the hotels located there as well as to set criteria to retain the unique character of Nob Hill with respect to preservation of existing open spaces, the siting of buildings to maximize insofar as possible the view potential of other properties as well as their own, and the adequacy of off-street parking facilities for the proposed use. He stated that the Fairmont Hotel proposed to enlarge the existing Blum's Restaurant at the southwest corner of the hotel by extending a one-story addition into the open space in front of the hotel at the corner of California and Mason Streets. Presently, the hotel, except for the main entrance portico, is set back approximately fifty feet along Mason Street; the new addition as shown on the latest plans submitted by the applicant, however, would extend to within approximately fifteen feet of Mason Street for a width of 27 feet.

Marvin Morgenstein, attorney for the Fairmont Hotel, stated that the new addition would be entered from the lobby of the hotel as at present and would not have entrances on either Mason or California Streets; and, because of the way in which the addition had been designed, he believed that it would improve the character of the area.



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Mario Gaidano, architect for the applicant, displayed a photograph of the present condition of the subject site, remarking that the shrubbery is unkempt and that the area is cluttered with awnings, mailboxes, and other "unappetizing appurtenances"; and he indicated that he felt that the structure which he had designed would improve the appearance of the corner. He displayed and described floor plans and elevations of the proposed structure and advised the Commission that his client had agreed to use only the finest materials in the building at an estimated cost of \$105 per square foot. Mr. Morgenstein stated that the addition would have an area of only 2,000 square feet instead of the 4,000 square feet indicated in the case report which had been prepared by the staff of the Department of City Planning. He also indicated that the new structure would project only fifteen feet from the existing building and that 25 feet of open space would still remain open between the new building and Mason Street.

President Fleishhacker asked what materials would be used on the surface of the building. Mr. Gaidano replied that glass panels would be used to make the structure appear like a pavilion in a park setting.

Mrs. Gloria Swanson, president of the Nob Hill Club, advised the Commission that the members of her organization were definitely in favor of the proposed project.

Franklyn Lyons stated that he, also, was in favor of the project.

The Director recommended that the subject application be disapproved. He stated that the proposed expansion of the restaurant had been done in such a fashion as to advertise the restaurant rather than the hotel function of the building at the intersection of California and Mason Streets; and he believed that the result would be in conflict with the intent of the Nob Hill Special Use District which was to allow commercial uses only when entirely incidental to a conditional use hotel. Additionally, the intrusion into the open space in front of the Fairmont Hotel would result in an interruption in the visually important continuous strip of open space along Mason Street extending from the Mark Hopkins Hotel to the Brocklebank Apartments; and this result, also, would conflict with one of the defined objectives of the Nob Hill Special Use District, that of preserving existing open space.

Mr. Morgenstein emphasized that the Fairmont Hotel was proposing only an expansion of an existing restaurant and not the introduction of new commercial enterprises; and he emphasized that the proposed addition would not change the size of the existing kitchen facilities in the restaurant. He pointed out that the proposed structure would not be significantly higher than the existing marquee in front of the hotel; and for that reason, he questioned the Director's inference that the structure would block the views which presently exist along Mason Street. Furthermore, since the building would be constructed entirely of glass, it would not be a visual obstruction.

After further discussion it was moved by Commissioner Mellon and seconded by Commissioner Finn that the subject application be approved.



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Commissioner Newman asked if any signs were being proposed for the new structure, Mr. Gaidano replied that any signs to be installed on the new building would be subject to control by the City. He believed that the new structure would actually increase the amount of open space available and that it would improve the appearance of the corner; and, since it would also serve the interests of the hotel, he hoped that the application would be approved.

President Fleishhacker agreed with the Director that construction of the proposed addition to the restaurant would be undesirable insofar as it would interrupt the strip of open space along Mason Street; and, even though the walls of the restaurant would be constructed of glass, the view which it would offer of people and furniture would not be an improvement over existing conditions. The Nob Hill Special Use District had been adopted to preserve existing open space and to control commercial operations in the area; and, since the proposed project would conflict with those principles, he felt that the subject application should be disapproved.

Commissioner Mellon remarked that the existing Blum's Restaurant is small and often overcrowded; and he felt that the proposed addition would serve as an accommodation both to guests of the hotel and to people living on Nob Hill. Especially since the proposal had received neighborhood support, he felt that the application should be approved.

Mrs. Swanson asked if the proposed addition would face the Pacific Union Club property. When her question was answered in the affirmative, she stated that she had previously been under the impression that the addition would be constructed on Powell Street. If the building were to be constructed on the Mason Street frontage of the hotel site, she felt that it would not be a good idea particularly since people might throw rocks at the glass walls of the building. She stated that the members of her club would definitely be opposed to the proposal.

After further discussion, the question was called and Commissioner Mellon's motion was defeated by a 3 - 4 vote. Subsequently, it was moved by Commissioner Brinton, seconded by Commissioner Kearney, and carried 4 - 3 that Resolution No. 6468 be adopted and that the subject application be disapproved. Commissioners Brinton, Fleishhacker, Kearney, and Porter voted "Aye"; Commissioners Finn, Mellon, and Newman voted "No."

Mr. Morgenstein asked if it were likely that any structure proposed for the open area in front of the Fairmont Hotel would meet with the Director's approval. Commissioner Porter replied that it was probable that almost no building could be proposed for that area which would meet with the approval of the staff. The Director agreed.

ZM69.29      Olympic Reservoir, west line of  
Masonic Avenue, 151 feet north of  
Geary Boulevard.  
R-3 to a C-2 District.



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Robert Passmore, Assistant Zoning Administrator, referred to land use and zoning maps to describe the subject property. He stated that the applicant, the Fireman's Fund American Life Insurance Company, had requested reclassification of the property from R-3 to C-2 to permit the construction of an office building fronting on Masonic Avenue. The building would have an area of approximately 130,900 gross square feet over a parking garage which would accommodate approximately 320 automobiles.

Ed Scharetz, Vice President of the Fireman's Fund Insurance Company, stated that his firm needed to expand yet wished to retain its facilities on Laurel Hill. He stated that there is room for expansion in the company's present location; however, in order to retain the low-rise characters of the existing buildings in their present setting, the firm preferred to expand their operations onto the subject site. He stated that meetings had been held with members of the Laurel Heights Association to discuss the proposal; and to date no opposition had been received to the proposal.

Edward Page, architect for the applicants, displayed a model of the subject neighborhood which showed the new building which was being proposed and its relationship to other buildings in the area. He noted that his clients had originally proposed to construct apartment buildings along Emerson Street; however, after discussion with residents of the neighborhood, the suggestion had been made that open space would be more desirable than additional housing. The proposed building would use only a portion of the density which would be allowable in a C-2 District; and the height of the office building would be an average of forty feet as measured from Emerson Street. He acknowledged that the proposed building would block views from buildings situated on the opposite side of Emerson Street; however, he pointed out that any construction on the subject site would have the same effect. Since the apartment units would not be constructed, an average setback of forty feet would be provided along Emerson Street; and an open court would be provided on the north side of the building for circulation of light and air. More than the minimum required amount of parking would be provided on the site in an underground parking garage.

President Fleishhacker inquired about automobile access to and egress from the proposed parking structure. Mr. Page replied that automobiles would enter the garage from Masonic Avenue on the south side of the building. Exits would be provided at the south side of the building onto Emerson Street and at the north end of the building onto Masonic Avenue.

Franklyn Lyons remarked that he was confident that the building which the Fireman's Fund Insurance Company would construct would conform to the building which had been described; and he indicated that he was in favor of the proposal.

Cora Flagg, 14 Wood Street, stated that she had no objection to the proposed use of the subject site; however, she was concerned about the height of the proposed building. She had been advised that the building would be 26 feet higher than a telephone pole which is located in the same vicinity; and she felt that the building should be restricted to the same height as other buildings along Emerson Street.



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President Fleishhacker noted that the present zoning of the subject property would allow construction of apartment buildings which could rise forty feet above Emerson Street.

Mr. Filippi, owner of property located on Emerson Street, stated that he has a beautiful view of the downtown district at the present time. If the new building being proposed were to be constructed, that view would be lost.

President Fleishhacker re-emphasized that residential buildings could be constructed on the site which would be the same height as the building being proposed by the applicant. Therefore, the principal issue under consideration by the Commission was one of use and not of height.

Mrs. Theresa Paulian, property owner on Emerson Street, remarked that the model which had been displayed by Mr. Page was somewhat misleading since the privately-owned property at the end of Lupine Avenue appeared to be public open space. She stated that property owners on Emerson Street were opposed to the applicant's original proposal to construct apartment buildings on the east side of their street because Emerson Street is a narrow dead-end street which could not accommodate the additional parking congestion which would necessarily result from the construction of additional dwelling units. In conclusion, she asked for a clarification of the entrance and exit pattern which were being proposed for the garage and was assured by the Director that the garage would not affect the traffic situation at the north end of Emerson Street.

Mrs. Paulian subsequently asked if the Police and Fire Departments had been made aware of the proposed project. The Director replied that plans for the proposed building would be subject to approval by both of those departments before construction is undertaken.

Commissioner Brinton asked if the Fireman's Fund Insurance Company would be willing to agree for the record that the height of the building would not be expanded in the future. Mr. Scharetg replied that he did not have the authority to make such a commitment.

Commissioner Porter remarked that the C-2 zoning being requested by the applicants would not involve specific height limitations; however, construction within the C-2 zone would be governed by the floor area ratio principle.

The Director recommended approval of the subject reclassification request and indicated that he had prepared a draft resolution of approval for consideration by the Commission. In addition, while commercial development of the subject site could be as beneficial and desirable to the City as residential development, because of the proximity of the site to the dwellings on Emerson Street and in Laurel Heights and the relationship of the site to Masonic Avenue and the traffic problems on that street that could result, he felt that final plans for the project should be subject to discretionary review by the Commission; and he had prepared a second draft resolution by which the Commission could establish a policy of reviewing under its discretionary authority any permit application based on a C-2 classification of the subject site with special attention being given to restricting the



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average height of the building as measured from Emerson Street to forty feet, requiring a setback of major commercial floor space from the Emerson Street property line of 40 feet, requiring the landscaping or other appropriate screening of the commercial building from Emerson Street, and requiring design and means of operating off-street parking and loading areas on the subject site in a manner which would not cause conflict with traffic on Masonic Avenue or adversely affect the residential amenities of homes on Emerson Street.

President Fleishhacker stated that he had received a telegram from Charles Turer, chairman of the Western Addition Community Organization, demanding that the City Planning Commission hold over its hearing on rezoning of the Olympic Reservoir at Masonic and Geary until Western Addition residents could talk with representatives of Fireman's Fund because of the dire need for housing in the area.

Commissioner Mellon remarked that the subject property is in Laurel Heights and not in the Western Addition.

President Fleishhacker acknowledged that there might be a need for additional housing in the City; however, he felt that the subject application had little to do with that issue.

Commissioner Porter asked if the second resolution which had been recommended by the Director of Planning, involving the establishment of a policy of discretionary review over final plans for the project, would be acceptable to the applicant. Mr. Page stated that he had explained to his clients the necessity of conforming to the character of the neighborhood. They had expressed a need for 100,000 square feet of office space; and he had found that it would be possible to provide that space within the forty-foot height limit on the subject site. Under the circumstances, he saw no reason to object to the draft resolution which would establish a policy of discretionary review.

Commissioner Mellon asked if any discussions had taken place at Fireman's Fund regarding the possible future expansion of the proposed building. Mr. Page replied that one of the executives of the firm had asked about the possibility of constructing a fourth floor on the building and had been advised that a building of that height would not be desirable. In any case, the building would not be designed structurally to accommodate additional floors.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 6469 be adopted and that the subject application be approved.

Subsequently, it was moved by Commissioner Newman, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 6470 be adopted establishing the Commission's policy of reviewing under its discretionary authority any permit application based on a C-2 classification of the subject site.

At this point in the proceedings Commissioner Brinton absented himself from the meeting room for the remainder of the meeting.



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ZM69.28            2551 Union Street, south line,  
                    172 feet east of Divisidero Street.  
                    R-1 to an R-1-D District.

Robert Passmore, Assistant Zoning Administrator, referred to land use and zoning maps to describe the subject property. He indicated that the subject property has an area of 9,453 square feet; and, in accordance with the provisions of the R-1 zoning district, the lot could be developed with three dwelling units or one dwelling unit for each 3,000 square feet of lot area. The owner of the lot had previously proposed razing the existing dwelling and the construction of three new dwelling units and had filed a variance application for a lot width variance to allow resubdivision of the subject lot into three lots each of which would have a width of 22.916 feet whereas a width of 25 feet is required by the City Planning Code. The variance had been heard, but not decided, by the Zoning Administrator on November 19, 1969; and, subsequently, the owner had withdrawn his application. At the variance hearing, considerable opposition to the three dwelling units on the R-1 zoned lot had been expressed; and, following the hearing, the Department of City Planning had received letters from five neighborhood organizations requesting that the Planning Commission initiate and recommend to the Board of Supervisors an amendment to the City Planning Code which would prohibit more than one dwelling unit on an R-1 zoned lot. The application presently before the Commission for consideration had been filed not by the owner of the property but by an interested property owner in the area. Reclassification to R-1-D would allow only one dwelling unit on the subject lot, or alternatively allow resubdivision into two lots, each with a single dwelling unit.

Mr. Darwin, attorney for the applicant, Frank Timberlake, called attention to the fact that his client had written a letter to the Commission requesting that hearing of the subject application be postponed. He commented on the fact that the residents of Union Street had turned out en masse to oppose the variance application which had previously been heard by the Zoning Administrator; and he indicated that the request for reclassification from R-1 to R-1-D which had been filed by Mr. Timberlake was being supported by the Cow Hollow Improvement Club. In lending their support to the subject application, the Board of Directors of the Cow Hollow Improvement Club had indicated that they would not normally favor "spot zoning"; however, since the owner of the subject property had stated flatly that three units would be built on the subject site with or without a variance, they urged that the property be reclassified to R-1-D at least until such time as the Commission has had an opportunity to act on a proposed amendment to the City Planning Code which would remove the language allowing more than one dwelling to be built on large R-1 properties. A formal application requesting such an amendment of the City Planning Code had been filed on December 11, 1969. Concluding his remarks, Mr. Darwin stated that seven homes in the 2500 block of Union Street had been mentioned in the Junior League Book entitled "Here Today" as noteworthy structures; and, given the character of the street, he felt that the construction of three new dwelling units on the subject property would be most unfortunate.

Mrs. James B. Lawry, assistant zoning chairman of the Cow Hollow Improvement Club, stated that her organization had corresponded with the Department of City



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Planning on January 8, 1965, requesting elimination of the section of the City Planning Code which allows conversion of single-family dwellings into multiple units where the lot area is of sufficient size; and her organization continued to be of the opinion that conversion of single-family dwellings for multiple occupancy or construction of new condominiums has a detrimental effect of the quality and character of R-1 districts.

Commissioner Porter noted that the subject lot is 68-feet wide and questioned whether it would be appropriate to place it in an R-1-D zoning district since other properties in the area presently developed with single-family homes have a much lesser width.

Commissioner Mellon asked if any action could be taken by the Commission to prohibit the construction of three-dwelling units on the subject property. Mr. Passmore replied in the negative but indicated that approval of the proposed reclassification of the property to R-1-D would have the same effect at least until such time as action is taken on the proposal by the Board of Supervisors. If the application for reclassification to R-1-D were denied by the Commission, an application for construction for three units on the property could be filed immediately.

Commissioner Newman asked how many units could be constructed on the subject property if it were to be reclassified to R-1-D. Mr. Passmore replied that one unit could be constructed for each 4,000 square feet of lot area for a total of two units.

The owner of the subject property was not present in the audience.

Mr. Passmore recommended that the subject application be disapproved because such action by the Commission creating a "spot zone" would be of doubtful legality; in addition, he pointed out that the character of the subject neighborhood conforms closer to R-1 than to R-1-D zoning. However, the staff recognized that the subject neighborhood and other R-1 areas of the City do contain random large lots such as the subject site which could be developed under the City Planning Code with multiple unit dwellings which might be detrimental to the surrounding neighborhood; and, for that reason, he recommended that the Commission consider the desirability of a public hearing on a Code amendment which would prohibit more than one dwelling unit on an R-1 lot or, alternatively, allow multiple units only as a conditional use. He stated that two draft resolutions had been prepared for consideration by the Commission, one of which would disapprove the subject application and the second of which would declare the Commission's intention to initiate a public hearing on the R-1 Code amendment.

Commissioner Porter asked if the result of the actions recommended by Mr. Passmore would be that the owner of the subject property would be allowed to proceed with plans for construction of three units on the site. Mr. Passmore replied that disapproval of the subject application would allow the owner of the property to submit an application for construction of three units on the site until the effective date of an R-1 amendment to the City Planning Code.



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Mr. Darwin felt that it would be better for the Commission to postpone action on the subject application and to proceed to adopt the draft resolution initiating a public hearing on an amendment of the City Planning Code which would prohibit more than one dwelling unit on an R-1 lot.

Commissioner Finn doubted that it would be legal for the Commission to keep the subject application in limbo until such time as an ordinance has been enacted which would affect the property by reducing the number of units which could be built on it.

After further discussion it was moved by Commissioner Porter and seconded by Commissioner Newman that the subject application for reclassification of the property from R-1 to R-1-D be approved.

Dr. Palmer, 2567 Union Street, advised the Commission that the owner of the subject property had originally purchased the existing building for his own personal use; however, after further investigation, he had changed his mind and had decided to construct three units on the site.

Commissioner Kearney asked what would be accomplished by taking the subject application under advisement. Mr. Passmore replied that the effect of such an action would be to impose R-1-D zoning on the property until the Commission would be prepared to take further action on the application. In his opinion, the best approach for the Commission to take in regard to the subject application would be to disapprove the application itself, to adopt a resolution initiating a public hearing on an R-1 Code amendment, and to adopt a resolution declaring the intention of the Commission to review under its discretionary authority any building permit applications filed for the subject property.

After further discussion, Commissioner Porter withdrew the motion which was pending and Commissioner Newman withdrew his second of the motion.

It was then moved by Commissioner Kearney, seconded by Commissioner Newman, and carried 5 - 1 that Resolution No. 6471 be adopted and that the subject application be disapproved. Commissioners Finn, Fleishhacker, Kearney, Mellon, and Newman voted "Aye"; Commissioner Porter voted "No".

Subsequently, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried 5 - 1 that Resolution No. 6472 be adopted expressing the Commission's intention of reviewing under its discretionary authority any building permit applications filed for the property located at 2551 Union Street. Commissioners Finn, Fleishhacker, Kearney, Mellon, and Newman voted "Aye"; and Commissioner Porter voted "No".

Finally, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried 5 - 1 that Resolution No. 6473 be adopted initiating a public hearing on a Code amendment which would prohibit more than one dwelling unit on an R-1 lot or, alternatively, allow multiple units only as a conditional use in an R-1 district. Commissioners Finn, Fleishhacker, Kearney, Mellon, and Newman.



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voted "Aye"; Commissioner Porter voted "No".

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Lynn E. Pio  
Administrative Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the special meeting held Friday, January 9, 1970.

The City Planning Commission met pursuant to notice on Friday, January 9, 1970, at 9:00 a.m. in the meeting room at 100 Larkin Street.

PRESENT: Mortimer Fleishhacker, President; James S. Kearney, Vice President; Thomas G. Miller; Walter S. Newman; and Mrs. Charles B. Porter, members of the City Planning Commission.

ABSENT: William M. Brinton and James K. Carr, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation; Samuel Jung, Planner IV; Sidney Shaw, Planner III; Roland Haney, Planner III; Jeanne Dierkes, Planner II; and Lynn E. Pio, Secretary.

CAPITAL IMPROVEMENT PROGRAM REVIEW

Samuel Jung, Planner IV, stated that the projects to be reviewed by the Commission had already been considered by the Plan Implementation Committee. As a result of review by the staff and by the Committee, an "essential" rating had been assigned to only 34 projects, which cost a total of \$2.7 million for the budget year.

President Fleishhacker asked how much money had been appropriated by the Board of Supervisors for funding Capital Improvement Projects during the current fiscal year. Mr. Jung replied that only \$1.7 million had been appropriated.

Jeanne Dierkes, Planner II, described the projects which had been submitted by the City Attorney, the Department of City Planning, the Civil Service Commission, the Controller, the District Attorney, the Municipal Court, the Superior Court, the Treasurer, and the Department of Finance and Records, including the County Clerk and the Tax Collector, as the projects appeared on pages 1, 2, 3, 4, 5, 10, 21, 22, 28, 29, and 30 of the staff report dated January 9, 1970. She noted that a rating of "not applicable" had been assigned to each of those projects.

Virgil L. Elliott, Director of Finance and Records, remarked that Project 227.70.101 involving a study for the new records center might have some effect on the Master Plan since the new records center would be an expensive building which would not be located in the City Hall. The Director agreed that construction of the new building might have an effect on the Master Plan; however, he did not feel that studies per se could be regarded in the same light. Therefore, he felt that the rating of "not applicable" which had been recommended by the staff was appropriate.



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After further discussion it was moved by Commissioner Newman, seconded by Commissioner Kearney, and carried unanimously that the various projects in the departmental schedule which had been described by Miss Dierkes do not affect the Master Plan and should be assigned a rating of "not applicable," subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Miss Dierkes then described the projects which had been submitted by the Police Department as they appeared on pages 11 through 14 of the staff report. She noted that the staff had assigned a "hold" rating to all projects proposing construction of new district stations until such time as the Police Department has finalized its program for reorganizing its physical facilities; and she stated that the staff's recommendations had been discussed with Sergeant Long of the Police Department.

Sergeant Ford Long, representing the Police Department, stated the Police Commission was of the opinion that the Police Department could operate with a lesser number of district stations; however, since other factors were involved, the Commission wished to study the matter further. Under the circumstances, he had no objection to the "hold" ratings being recommended by the staff of the Department of City Planning.

Miss Dierkes then called attention to recommendations of the staff concerning Project 161.68.103 involving reconstruction and expansion of a private alarm system at the Hall Justice. The staff had recommended that the Police Department should obtain private financing for the project; and it was noted that the granting of a concession to a consortium of alarm companies for providing the service would reduce the cost to the City to only \$2,000.

Sergeant Long stated that the alarm system presently contains 200 lines which are financed in part by private firms and in part by the Police Department. At the present time, other firms are anxious to join the system; and the industries involved appeared to be willing to cooperate financially in the project. Although he felt a \$2,000 cost to the City, which had been cited by the staff of the Department of City Planning, was somewhat low, he did agree that the concept of private financing should be explored in depth.

Miss Dierkes then called attention to the fact that the staff of the Department of City Planning had recommended "deferrable" ratings for two projects involving renovation of the Park Station and the Ingleside Station since it appeared that the stations are scheduled for demolition.

Sergeant Long acknowledged that the stations might eventually be demolished; however, he felt that some funds should be provided to renovate the building to some extent during the interim.



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Mr. Jung noted that the projects which had been submitted called for expenditure of funds in the 1975-76 fiscal year. Therefore, if the Police Department wished to undertake some renovation of the facilities at an earlier date a supplemental appropriation should be submitted for that purpose. In the meantime, he felt that the "deferrable" rating should be retained for the two projects presently under review.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the projects submitted by the Police Department be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Miss Dierkes described the projects which had been submitted by the Department of Social Services as they appeared on page 15 of the staff report and noted that only one of the projects had been assigned an "essential" rating by the staff. She also called attention to a policy statement to the effect that the Department of Social Services should actively consider vacating 585 Bush Street and relocating in closer proximity to other buildings owned or occupied by the Department.

Misaya Cakebe represented the Department of Social Services and stated that this Commission held little hope for the passage of the \$3 million bond issue for acquisition of the property at 1663-1665 Mission Street; and, therefore, other possible means of financing were being investigated.

Mr. Steele felt that it was essential as a matter of economy that the property on Mission Street be acquired since the Department of Social Services is already paying rent in that area in addition to paying for the upkeep on the Bush Street property. The Director felt that the best use of the Bush Street property would be for the expansion of the Sutter-Stockton Garage.

At this point in the proceedings, Commissioner Miller arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Newman asked about the amount of rent currently being paid by the Department of Social Services. Mr. Jung replied that the Department is currently spending approximately \$200,000 a year for rent. Mr. Cakebe indicated that the building which was being proposed for acquisition is not now being rented by the Department of Social Services.

Commissioner Newman asked if all of the operations of the Department of Social Services could be housed in the Mission Street area if the subject building were to be acquired. Mr. Cakebe replied that sufficient space would then be available to house the present staff of the Department of Social Services.

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President Fleishhacker asked if the building proposed for acquisition would require remodeling. Mr. Cakebe replied in the affirmative and Mr. Jung stated that the project data sheet indicates that the remodeling cost was included in the proposed amount of the bond issue.

President Fleishhacker, noting that the amount of rent currently being paid by the Department of Social Services would soon pay for the cost of acquisition of the new building, felt that everything possible should be done to speed the proposed acquisition of the building.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects submitted by the Department of Social Services be approved as in conformity with the Master Plan, subject to the recommendations and the notes in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Miss Dierkes then described the projects which had been submitted by the Sheriff's Department as they appear on pages 16 through 20 of the staff report, noting that projects located outside of the City limits had been given a rating of "not applicable". She also called attention to the staff recommendation that the Sheriff's Department should prepare a development plan for its facilities to be presented to interested City boards, commissions, and offices for their consideration.

Frank Smith, representing the Sheriff's Department, expressed concern about the "not applicable" rating which had been recommended by the staff of the Department of City Planning for many projects which he considered to be essential. The Director replied that the rating of "not applicable" had no relevance to the matter of priority. The rating was merely used to indicate that a particular project would have no effect on the Master Plan.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects submitted by the Sheriff's Department be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Sidney Shaw, Planner III, reviewed the projects which had been submitted by the Department of Public Health as they appeared on pages 42 through 53 of the staff report, calling particular attention to a policy statement appearing on page 42 which read as follows:

"The future of Hassler Hospital should be studied to determine how the purpose and function of this hospital relate to the long-run operation of the planned new San Francisco Medical Center and Laguna

President John F. Kennedy's death in 1963 was a tragedy for the entire world. The President was a man of great vision and courage, and his death was a great loss to the world.

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Honda Hospital. The detailed planning of the new medical center and the modernization of Laguna Honda Hospital should, accordingly, deal with this question. Only those improvements at Hassler Hospital needed to maintain the current level of care should be considered at this time."

Mr. Shaw remarked that one-third of the beds at Laguna Honda Hospital accommodate ambulatory patients. If those patients could be transferred to convalescent hospitals, there would be 600 beds available at Laguna Honda to accommodate chronically ill patients who might be transferred from Hassler Hospital, which presently has a 90 percent occupancy rating for its 200 beds. In conclusion, he stated that the Grand Jury had recommended the phasing-out of Hassler Hospital.

Dr. Curry, representing the Department of Public Health, remarked that the future of Hassler Hospital had been a matter of controversy since 1958. He agreed that the operating costs of the Department of Public Health could be reduced if the hospital were to be closed; however, if the hospital were to be sold, all of the proceeds from the sale would go to the State of California because of the provisions of the Medi-Care and Medi-Cal Acts.

President Fleishhacker asked about the possibility of leasing the property. Dr. Curry replied that the money obtained from the lease would still have to be turned over to the State of California.

President Fleishhacker then inquired about the approximate value of the Hassler Hospital property. Commissioner Miller replied that the site contains approximately 300 acres; however, much of the property is steep and unusable. He felt that the property might be worth approximately \$10,000 an acre or \$3 million in toto.

Commissioner Newman asked if any economies would be realized by incorporating the services of Hassler Hospital into the Laguna Honda complex. Joseph Mignola, assistant director of public health for hospital services, replied that the operating costs of Hassler Hospital are charged to Medi-Cal and Medi-Care and not to the City.

Commissioner Porter asked for a comparison between patient costs at Hassler Hospital and Laguna Honda. Mr. Mignola replied that the cost of care at Hassler Hospital is \$20 per day whereas the cost at Laguna Honda is \$27 per day.

Commissioner Miller stated that it is somewhat difficult to evaluate the needs of the Department of Public Health since court decisions which are pending, particularly with relation to alcoholism, may have the effect of requiring the Department of Public Health to undertake major new programs.

President Fleishhacker suggested that the policy statement concerning Hassler Hospital should be reworded to read as follows:



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"The future of Hassler Hospital should be studied to determine how the purpose and function of this hospital relate to the total operation of the Department of Public Health. Improvements at Hassler Hospital needed to maintain the current level of care should be considered at this time."

Dr. Curry asked if the revised policy statement would have any affect on the "hold" rating which had been assigned to Project No. 500.70.113 which called for studies and preparation of a plan for overall future expansion and remodeling of Hassler Hospital. The Director replied that the project in question should have been given a rating of "not applicable", and he recommended that that change be made in the staff report. Mr. Shaw called attention to the fact that a "hold" rating had been assigned to a project involving the temporary relocation of the Chemistry Lab at San Francisco General Hospital and that a recommendation had been made by the staff that the Department of Public Health and the Bureau of Architecture should scrutinize the necessity for demolishing the building presently housing the Chemistry Laboratory until permanent quarters are available, thus avoiding the temporary establishment of the laboratory in another building scheduled for demolition.

Dr. Curry stated that he concurred with the recommendation of the staff of the Department of City Planning on that matter; however, the architects for the new hospital had indicated that it might be necessary to demolish the building presently housing the laboratory so that work could proceed at the new facility. Mr. Mignola stated that a final decision on the matter would be made during the current fiscal year.

Commissioner Porter asked if the project involving preparation of a study of preliminary plans for auditorium egress at 101 Grove Street should not have been given a rating of "not applicable" instead of "essential". The Director replied in the affirmative and recommended that the change be made in the staff report.

Mr. Shaw noted that the staff had recommended a rating of "hold" for Project 500.70.101 involving the installation of fire prevention sprinklers in Hassler Hospital.

Mr. Mignola stated that he felt that the proposed project should be of extremely high priority since fire service in the vicinity of Hassler Hospital is somewhat deficient. Commissioners Newman and Porter agreed. Mr. Steele recommended that the rating for the project be changed to "not applicable".

Mr. Shaw noted that the staff had also recommended a "hold" rating for a project calling for the installation of stand-by power facilities for various emergency medical aid stations. The staff felt that it would be considerably cheaper to install portable generators or alternators in the aid stations or to borrow portable units from Army field stations when needed.

Cormac Brady, representing the Department of Public Works, felt that the staff of the Department of City Planning, in making its recommendation, must have overlooked the essential purpose of emergency aid stations which is to provide service during emergencies.



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Mr. Mignola stated that a planning study had already been undertaken with regard to emergency power facilities; and he felt that it would probably be desirable to defer the request for funds for installation of stand-by power facilities for the emergency medical aid stations until the study had been completed.

President Fleishhacker remarked that the "hold" rating which had been recommended by the staff of the Department of City Planning would accomplish that purpose.

Mr. Shaw then noted that the staff of the Department of City Planning had recommended a "hold" rating for Project 500.69.108 calling for new construction of district mental health centers and sub-centers at undetermined sites and had included a policy note recommending that construction of the new facilities should await full exploration of alternate means of providing the service. He stated that the question of providing services for mental health is presently in a state of flux; and he felt that a decision might be made to provide the service through many smaller facilities which would be rented and through contracts with private clinics. Construction of City-owned facilities would make it impossible for the other procedures to be followed.

Dr. Curry concurred with Mr. Shaw. He remarked, however, that planning funds should be made available for organization of the City's mental health program. President Fleishhacker suggested that the planning funds might be obtained from some source other than the City.

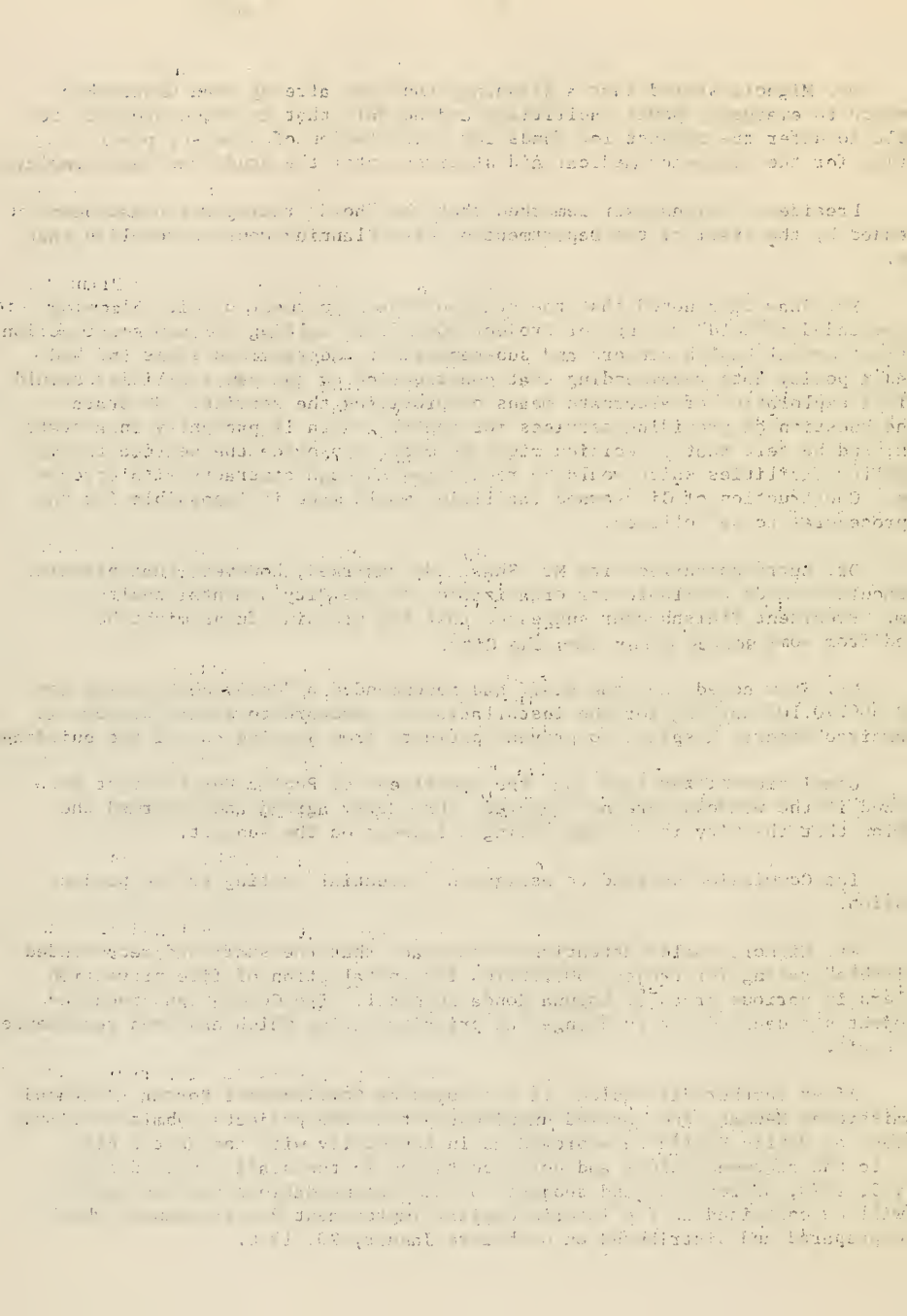
Mr. Shaw noted that the staff had recommended a "desirable" rating for Project 500.70.104 calling for the installation of hardware to secure windows at San Francisco General Hospital to prevent patients from jumping out of the building.

Commissioner Porter felt that the Department of Public Health might be criticized if the windows were not secured. Dr. Curry agreed and informed the Commission that the City is already facing a lawsuit on the subject.

The Commission decided to assign an "essential" rating to the project in question.

Mr. Mignola called attention to the fact that the staff had recommended a "desirable" rating for Project 500.70.106 for installation of fire prevention sprinklers in various areas at Laguna Honda Hospital. The Commission discussed the project but decided not to change the priority rating which had been recommended by the staff.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the projects submitted by the Department of Public Health be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, as revised, and subject to the recommendations and the notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.



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Miss Dierkes described the projects which had been submitted by the Juvenile Court as they appeared on pages 23 through 25 of the staff report. She noted that the staff had assigned an "essential" rating to Project 186.70.103 which involved the conduct of a study and preparation for a bond issue for the Youth Guidance Center, including an investigation of the desirability of a new site; and, for that reason, the staff was also recommending that no large capital expenditure should be permitted at the Youth Guidance Center until agreement has been reached on the proper function and design of the facility. However, since a project had already been undertaken to alter some of the cottages at the Youth Guidance Center, the staff was recommending that additional funds requested for that project be shown in the 1970-71 fiscal year instead of the 1971-72 fiscal year and that the project be given a rating of "not applicable".

Commissioner Porter asked if the Youth Guidance Center study should not have been given a rating of "not applicable" instead of "essential". The Director replied in the negative, noting that the study would be directly related to capital improvements.

Mr. Boreman, representing the Youth Guidance Center, urged that funds for Project 186.69.102 for modifications and new construction at the Youth Guidance Center be moved forward into fiscal year 1970-71 instead of 1971-72 as shown in the staff report and that the project be given an "essential" rating instead of the "hold" rating assigned by the staff. He stated that a lawsuit had been filed with regard to the type of classroom facilities being provided at the Youth Guidance Center; and he felt that the situation should be corrected immediately. In any case, he estimated that it will be at least ten years before a new facility is available; and, during the interim, he felt that it would be important to maintain and improve the present facilities at the Youth Guidance Center. The Commission agreed to make the changes which he had requested.

At this point in the proceedings, Commissioner Kearney temporarily absented himself from the meeting room.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects for the Juvenile Court be approved as in conformity with the Master Plan, subject to the recommendations and notes, as revised, in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Miss Dierkes then reviewed the projects which had been submitted by the Real Estate Department as they appeared on page 33 of the staff report. After discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects submitted by the Real Estate Department be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.



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Miss Dierkes described the projects which had been submitted by the Purchasing Department as they appeared on pages 34 and 35 of the staff report, noting that many of the projects had been given a rating of "not applicable". After discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects submitted by the Purchasing Department be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Shaw described the projects which had been submitted by the California Academy of Sciences as they appeared on pages 26 and 27 of the staff report, noting that the staff of the Department of City Planning had recommended that new construction involving enlargement of floor area at the California Academy of Sciences should be deferred pending the development of a master plan for Golden Gate Park.

Dr. George E. Lindsay, Director of the California Academy of Sciences, stated that the restriction on new construction might prove to be a problem in the future; however, since the Academy had no new construction projects projected for the next two years, he had no serious objection to the staff recommendation.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the projects submitted by the California Academy of Sciences be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Shaw then described the projects which had been submitted by the Palace of the Legion of Honor as they appeared on pages 54 and 55 of the staff report noting that a "hold" rating had been recommended for Project 611.67.201 involving underground expansion of exhibits and storage space.

Commissioner Newman asked if any effort would be made to study soil conditions in the area before proceeding with the underground construction project. Mrs. Marie Jensen, representing the Palace of the Legion of Honor, stated that \$8,000 had already been appropriated for soil studies; and she noted that an additional \$20,000 was being requested for a thorough study of all conditions in the area.

Mr. Steele recommended that the study itself be given a rating of "not applicable" and that the remainder of the construction project be continued in the "hold" category.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects for the Palace of the Legion of Honor be approved, subject to the recommendations and notes, as revised, in the staff report dated January 9, 1970, and subject to the recommendations

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and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Shaw described the projects which had been submitted by the M.H. de Young Memorial Museum as they appeared on page 56 of the staff report.

Commissioner Miller, noting that Project 621.67.201 called for construction of a new east wing for the Museum, suggested that the project should be given a "hold" instead of the "acceptable" rating which had been recommended by the staff because it involved new construction in Golden Gate Park; and he also felt that a note should be added to the project explaining that the "hold" rating was being assigned pending completion of a master plan for Golden Gate Park. The Commission agreed to these changes.

Mr. Carlson was present to represent the de Young Museum.

After discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects of the M.H. de Young Museum be approved as in conformity with the Master Plan, subject to the recommendations and notes, as revised, in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Shaw described the projects which had been submitted by the Public Library as they appeared on page 57 of the staff report, noting that the proposed bond issue for construction of a new Main Library had not been included in the formal submission to the Department of City Planning.

Commissioner Miller stated that the Public Library had requested the Capital Improvement Advisory Committee to consider that bond issue in assigning priorities and accordingly it should be included in this Capital Improvement Program in order to meet the two-year requirement for endorsing proposed bond issues.

Mr. Steele recommended that the bond issue be included in the Capital Improvement Program with the same dollar amount which had been proposed by the Public Library last year. The Commission agreed to insert the project.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects for the Public Library be approved as in conformity with the Master Plan, subject to the recommendations and notes, as revised, in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

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At 10:55 a.m. President Fleishhacker announced a ten-minute recess. The Commission reconvened at 11:05 a.m. and proceeded with the remainder of the agenda.

Roland Haney, Planner III, described the projects which had been submitted by the Fire Department as they appeared on pages 6 through 9 of the staff report, noting that the staff of the Department of City Planning was recommending that studies should be initiated at the interdepartmental level to investigate re-use possibilities of areas and buildings to be vacated upon completion of the Fire Station construction program.

Chief Condon, representing the Fire Department, stated that one item concerning improvement of the property at 441 - 12th Avenue had been lost in transmission; and he requested that the project be inserted in the program. The Commission agreed to this request.

After discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects for the Fire Department be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report dated January 9, 1970, as revised, and subject to the recommendations and notes which will appear in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Shaw reviewed the projects which had been submitted by the War Memorial Board of Trustees as they appeared on pages 58 and 59 of the staff report, noting that two bond issue proposals involving extensive rehabilitation of the Opera House and Veterans Building and construction of a new Musical Arts Building had been given a rating of "essential". The remainder of the projects had been rated "not applicable."



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Joseph J. Allan, managing director of the War Memorial Trustees, expressed concern about the "not applicable" rating which had been assigned to various of the projects. Mr. Steele replied that the rating of "not applicable" would not have any effect on the priority of the proposed project; it merely meant that the projects would not affect the Master Plan.

Mr. Moses Laskey, member of the Board of Trustees of the War Memorial, emphasized the importance of the projects which had been given a rating of "not applicable."

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the projects of the War Memorial Board of Trustees be approved as in conformity with the Master Plan, subject to the recommendations and notes made in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

At this point in the proceedings, Commissioner Kearney returned to the meeting room and reassumed his seat at the Commission table.

Mr. Steele described the projects which had been submitted by the Port Commission as appeared on pages 60 through 66 of the staff report, noting in particular the recommendation contained on page 60 to the effect that the Port Commission should formulate a long-term development plan for its facilities between China Basin and India Basin. During the course of the study which should be undertaken in cooperation with the Department of City Planning, attention should be focused on subject matters such as port facilities, transportation, waterfront recreation, project costs and source of funds for implementing the plan.

President Fleishhacker, noting that Project 775.70.403 proposed by the Port Commission would be financed from gas tax funds, asked how those funds would be made available to the Port Commission. Mr. Shaw replied that gas tax funding had been indicated because it was assumed that the Department of Public Works would eventually take charge of the maintenance of streets owned by the Port since the Port is now under the jurisdiction of the City. Commissioner Miller suggested that transfers of jurisdiction such as the one mentioned by Mr. Shaw should be discussed with the Department of Public Works; and, at the same time, consideration might also be given to the desirability of consolidating the maintenance shops presently operated by the two agencies.

John Yeomans, Controller for the Port Commission, stated that his agency had not recommended the use of gas tax funds for their project; however, the Port



was in general agreement with the recommendations of the staff of the Department of City Planning. Nevertheless, because of the need for providing facilities to bring railroad cars to the Port, a question arises about the "hold" rating which had been assigned to one of the alternate proposals under Project 775.70.112 calling for repair of the railroad ferry slip on Pier 43. Also, since the Ferry Building produces a revenue of approximately \$700,000 per year, he wondered why various projects involving remodeling of the Ferry Building had been given a rating of "desirable" instead of "essential".

Mr. Steele stated that the staff of the Department of City Planning considered new facilities which would allow more ships to be unloaded to be more important than projects such as the remodeling of the Ferry Building; and, for that reason, a lower priority had been assigned to projects which were not directly related to the operation of the Port. With regard to the repair of the railroad ferry slip at Pier 43, he noted that the Department of Public Works is presently conducting a study for determining whether it would be possible to strengthen the Third Street bridge, a project which had been indicated as an alternate to the repair of the railroad ferry slip. If the bridge could not be strengthened, he agreed that it would be necessary to provide other facilities to accommodate freight shipped by railroad and handled through the Port facilities in the Northern Waterfront.

Eugene Sembler, Chief Engineer for the Port Commission, confirmed that the recommendations of the staff of the Department of City Planning were generally in conformity with the policies of the Port.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the projects submitted by the Port Commission be approved as in conformity with the Master Plan, subject to the recommendations and the notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Haney described the projects which had been submitted by the Department of Electricity as they appear on pages 31 and 32 of the staff report.

B.H. Dougherty, representing the Department of Electricity, urged that Project 233.69.101 for installation of security measures at the central radio station on Twin Peaks be given an "essential" rating instead of the "desirable" rating recommended by the staff of the Department of City Planning. He stated that the building housing the central radio station is unattended; and, since the facilities of the building are absolutely essential, he felt that the City would be remiss if it were not willing to spend \$18,100 for installation of security measures. The Commission agreed to change the rating of the project to "essential".

Mr. Dougherty then commented upon the "acceptable" rating which had been assigned to Project 233.70.103 calling for construction of a garage for the Fire



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Communications Van at the central fire alarm station. He stated that the Van is a target for vandalism; and, if it could be kept out of sight, he felt that it would be less likely to be damaged.

Mr. Haney stated that the "acceptable" rating had been assigned because construction of the garage would add another building to a City playground.

Mr. Dougherty explained that it is general policy to construct central fire alarm stations in open spaces such as parks.

The Commission decided to change the rating which had been recommended by the staff from "acceptable" to "desirable".

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the projects submitted by the Department of Electricity be approved as in conformity with the Master Plan, subject to the recommendations and notes, as revised, in the staff report dated January 9, 1970, and subject to the recommendations and notes which will be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Haney commented upon the projects which had been submitted by the Department of Public Works, General Office, as they appeared on pages 36 through 38 of the staff report. After discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the General Office projects submitted by the Department of Public Works be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes to be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

Mr. Haney then described the sanitation projects which had been submitted by the Department of Public Works as they appeared on pages 39 through 41 of the staff report.

President Fleishhacker, noting that bond issues were being proposed to improve sewer facilities, asked if revenue bonds had been considered. Cormac Brady, representing the Department of Public Works, replied that the sewer system does not generate revenues to support a bond issue. He stated that consideration had also been given to a sewer use tax; but, it had been determined that the problem of collecting the tax might render that approach uneconomical.

Commissioner Newman asked if the bond issues would be exclusively for replacement of existing facilities. Mr. Brady replied that a \$15 million bond proposal would be directed towards routine replacement. In addition, a \$50 million bond would be needed for disposal of the City's effluent, and a \$25 million bond would be needed as the first installment on a \$100 million program to protect the Bay from pollution caused by storm water overflows from the combined sewer system.



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After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the sanitation projects of the Department of Public Works be approved as in conformity with the Master Plan, subject to the recommendations and notes contained in the staff report dated January 9, 1970, and subject to the recommendations and notes to be contained in the interim Capital Improvement Program Report which will be prepared and distributed on or before January 20, 1970.

The meeting was adjourned at 11:50 a.m.

Respectfully submitted,

Lynn E. Pio  
Secretary

Under the direction of the Director, the Bureau of the Census is conducting a study of the economic and social conditions of the Negro population in the United States. This study is being conducted in cooperation with the National Bureau of Economic Research and the National Bureau of Labor Statistics. The results of this study will be published in a series of reports which will be prepared and published by the Bureau of the Census.

The following is a list of the reports which have been published by the Bureau of the Census:

- 1. The Negro Population of the United States, 1940-1950
- 2. The Negro Population of the United States, 1950-1960
- 3. The Negro Population of the United States, 1960-1970
- 4. The Negro Population of the United States, 1970-1980
- 5. The Negro Population of the United States, 1980-1990
- 6. The Negro Population of the United States, 1990-2000
- 7. The Negro Population of the United States, 2000-2010
- 8. The Negro Population of the United States, 2010-2020
- 9. The Negro Population of the United States, 2020-2030
- 10. The Negro Population of the United States, 2030-2040
- 11. The Negro Population of the United States, 2040-2050
- 12. The Negro Population of the United States, 2050-2060
- 13. The Negro Population of the United States, 2060-2070
- 14. The Negro Population of the United States, 2070-2080
- 15. The Negro Population of the United States, 2080-2090
- 16. The Negro Population of the United States, 2090-2100

SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, January 15, 1970.

The City Planning Commission met pursuant to notice on Thursday, January 15, 1970, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Mortimer Fleishhacker, President;  
James S. Kearney, Vice President;  
James J. Finn, Thomas J. Mellon,  
Walter S. Newman, Mrs. Charles E.  
Porter, and John Ritchie, members  
of the City Planning Commission

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Ralph Mead, Planner IV (Zoning); Edward Michael, Planner III; Fritz Mock, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle; and William Dorais represented Television Station KQED.

APPROVAL OF MINUTES

It was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the minutes of the meetings of November 10 and December 12, 1969, be approved as submitted.

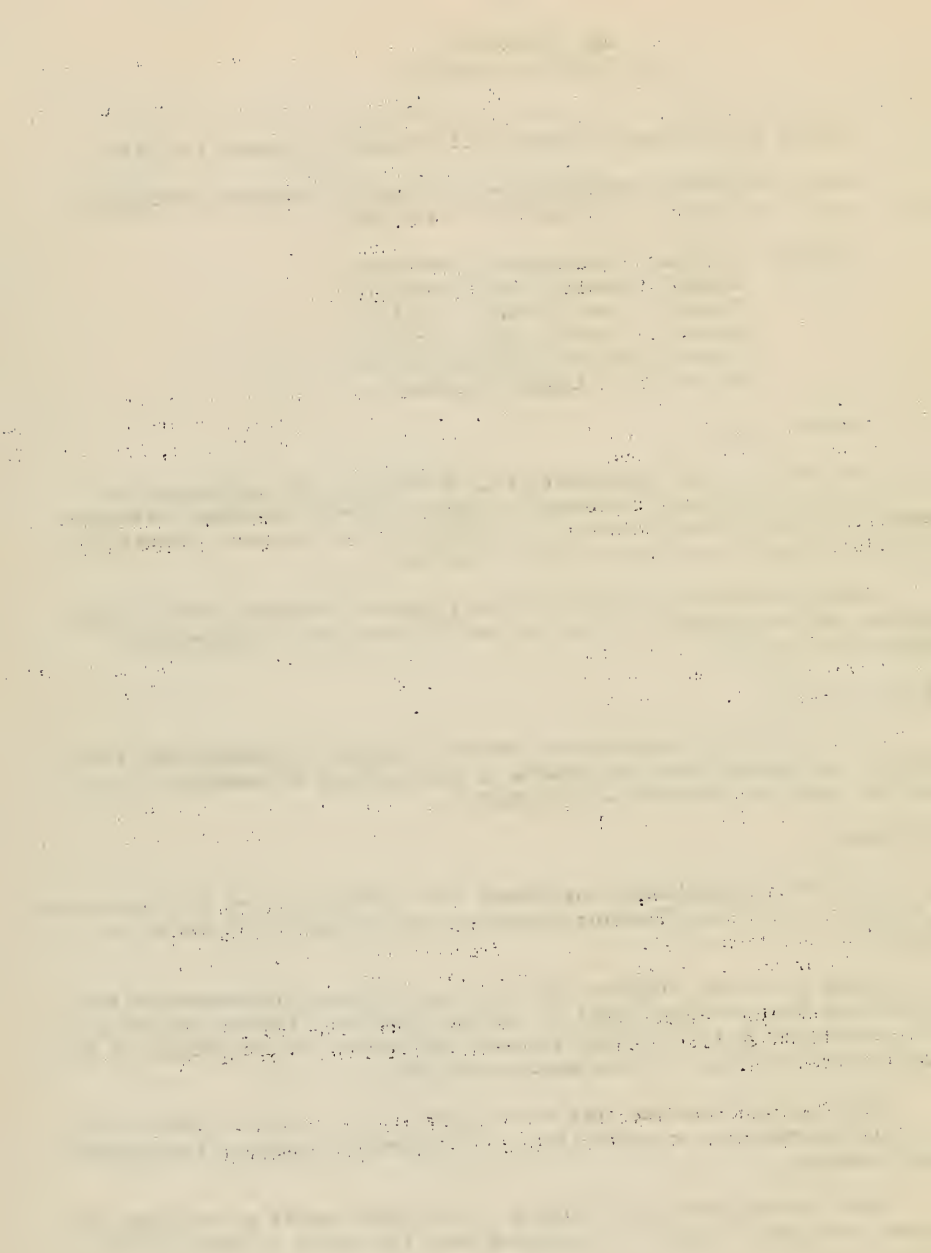
CURRENT MATTERS

President Fleishhacker introduced John Ritchie who had just been sworn in as a member of the City Planning Commission and congratulated him on his appointment.

Allan B. Jacobs, Director of Planning, informed the Commission that he had met with the Executive Board of the San Francisco Planning and Urban Renewal Association on the previous afternoon to discuss the Department of City Planning's proposed budget for the next fiscal year.

The Director reported that he has been asked to testify before the State Senate Subcommittee on Rapid Transit next Tuesday regarding the proposed Southern Crossing.

The Director distributed copies of the staff report on proposed sign regulations for Market Street and indicated that the report is being mailed to



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all property owners involved. Official presentation of the report will be made during the course of the public hearing scheduled for January 29.

R. Spencer Steele, Assistant Director-Implementation, remarked that the Commission, during its Capital Improvement Program hearing on January 9, had considered a proposal submitted by the Department of Social Services for acquisition of two properties on Mission Street. During the interim, the staff of the Department of City Planning had undertaken further review of the proposal and had noted that the sale of property owned by the Department of Social Services at 585 Bush Street might be used to finance rehabilitation of the new buildings. Since use of the property at 585 Bush Street might be desirable for other public purposes, he suggested that the Commission should instruct the staff of the Department of City Planning to include the following statement in the interim Capital Improvement Report to be published by January 20, 1970:

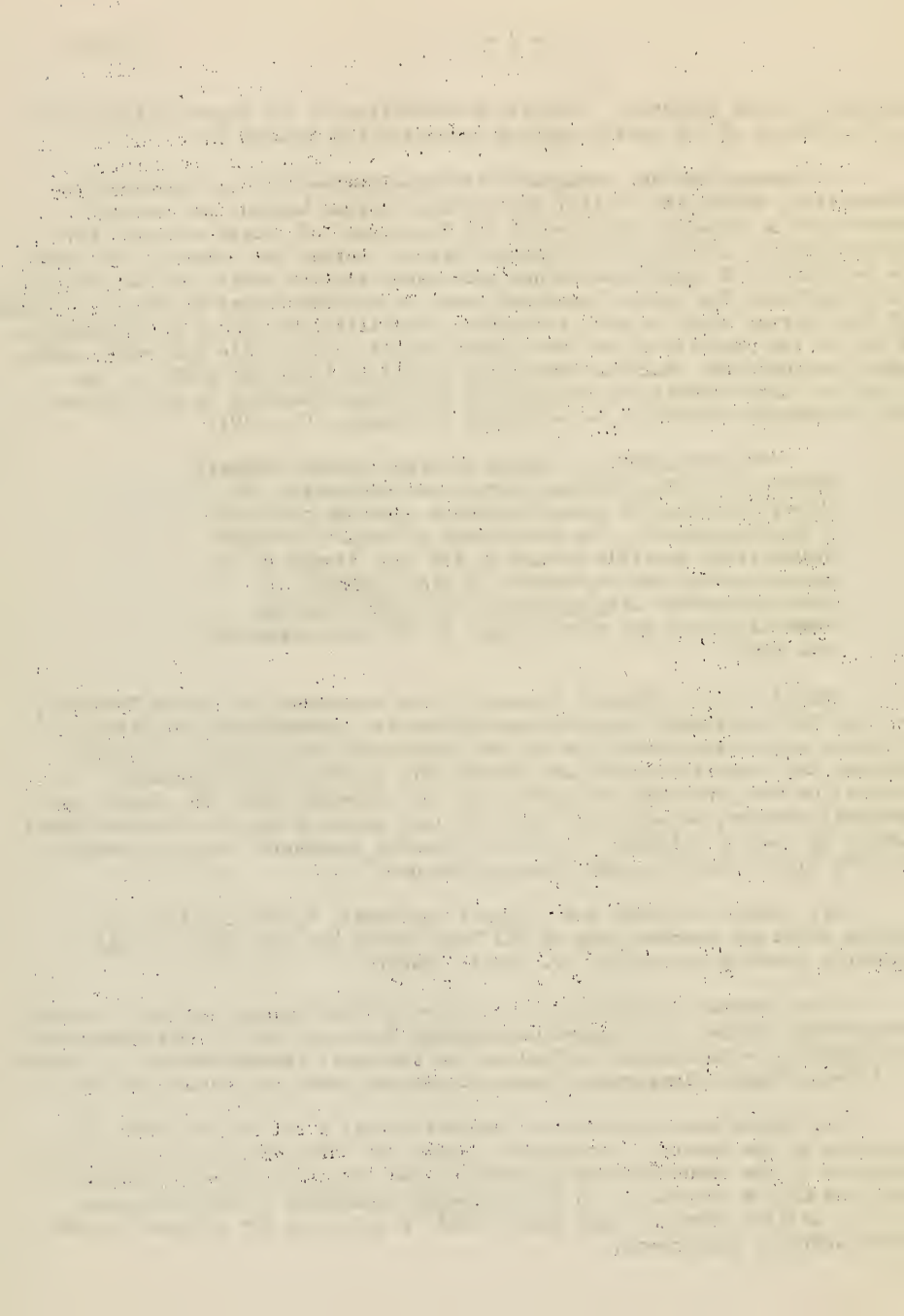
"The Department of Social Services should actively consider vacating 585 Bush Street and relocating in closer proximity to other buildings owned or occupied by the Department. The Department of Social Services should study possible re-use of 585 Bush Street in cooperation with the Department of City Planning and other interested City agencies. The City Planning Commission does not endorse sale of 585 Bush Street at this time."

Ronald H. Born, General Manager of the Department of Social Services, stated that his department wished to centralize its operation in the Mission Street area; and he indicated that it had always been their plan to transfer or exchange the property at 585 Bush Street with another City department. He stated that he was generally in accord with the statement which Mr. Steele had recommended; however, he suggested that the last sentence of the statement might be changed to read as follows: "The City Planning Commission does not endorse sale of 585 Bush Street for other than public use."

Mr. Steele felt that the original statement, specifying that the Commission would not endorse sale of 585 Bush Street "at this time," would be sufficiently flexible to satisfy Mr. Born's concern.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Newman, and carried unanimously that the staff of the Department of City Planning be instructed to include the statement recommended by Mr. Steele in the interim Capital Improvement Report to be published by January 20, 1970.

Mr. Steele also advised the Commission that a bond issue which had not appeared in the Capital Improvement program was being proposed by the Board of Education in the amount of \$45 million to make structural repairs necessary to bring the City's schools up to the earthquake standards of the Field Act. Possibly \$3 million from the bond issue would be allocated for purchase of new temporary portable classrooms.



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President Fleishhacker noted that the election of officers for the Commission would be held next week; and he informed the Commission that he would not be a candidate for election to the office of President. During his two years as a member of the City Planning Commission, he had been pleased to see the Department moving out into a position of cooperation with other City departments, the work being done on the new comprehensive plan being the strongest indication of the direction being taken by the staff in working with other City agencies. He felt that the real function of a modern city planning department should be oriented not exclusively to planning but to planning, development, and preservation. He believed that no community can develop properly in an economic sense if its environmental conditions are not kept in mind; and he felt that the Department of City Planning in San Francisco is directing its energies in such a way as to guide the economic development of the City in ways which will prove fruitful in terms of jobs, industry, and other essential factors. On the negative side, he was disappointed that adequate compensation is not yet being paid to the members of the staff of the Department of City Planning. He felt that it is obvious that the City cannot hope to have the most talented people working on its problems unless it is willing to offer proper compensation; and he regarded this problem as one which the City Planning Commission, the Civil Service Commission, and the Board of Supervisors should attack vigorously. He indicated that he had also been disappointed about the relationship between the Department of City Planning and some of the other agencies of the City ... a situation which might have been improved if the proposed Charter Amendments had been approved during the November Election. In view of the failure of the Charter Amendments, however, he felt that the Commission should approach the problem on a "piecemeal basis," giving consideration to ways in which the present Charter might be improved. In conclusion, he expressed his gratitude to the members of the Commission for their cooperation during the past year and stated that he hoped that the Commission had been able to please a large percentage of the public in the conduct of its business during his term of office.

At 2:50 p.m. President Fleishhacker announced a ten-minute recess. The Commission reconvened at 3:00 p.m. and proceeded with hearing of the remainder of the agenda.

**PUBLIC HEARING ON HEIGHT LIMITS PROPOSED FOR FERRY BUILDING AREA**  
**(Under Advisement from meeting of December 11, 1969)**

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R. Spencer Steele, Assistant Director-Implementation, summarized the proposals which were presently under consideration and which involved the establishment of a 65-foot height limit area and an 84-foot height limit area in the vicinity of the Ferry Building with exceptions of up to 125 feet or 175 feet being permitted in the 84-foot height limit area via the conditional use procedure which would be required for all new uses in the area. Since the last hearing, however, the staff of the Department of City Planning had decided to recommend changes in Section 120.5 of the draft text of the proposed ordinance



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which would change the method by which height exceptions would be permitted in the proposed height limit districts. The new language being proposed would read as follows:

"(a) In Sub-Area A of the 84-Foot Height Section (Sec. 295.2(a)) such height exceptions may be permitted provided that:

1. The height of the building or structure so approved by the Planning Commission shall not exceed 125 feet; and
2. Within this 125-foot maximum, there shall be a limitation on permitted building bulk in Sub-Area A above the basic height limit of 84 feet, calculated as the product of 41 feet (the difference between 125 feet and 84 feet) and fifteen (15) per cent of the project area. For purposes of the foregoing calculation only, the project area may include part or all of the 65-Foot Height Section (Sec. 295.1) as well as part or all of Sub-Area A.

"(b) In Sub-Area C of the 84-Foot Height Section (Sec. 295.2(c)) such height exceptions may be permitted provided that:

1. The height of the building or structure so approved by the Planning Commission shall not exceed 175 feet; and
2. Within this 175-foot maximum, there shall be a limitation on permitted building bulk in Sub-Area C above the basic height limit of 84 feet, calculated as the product of 91 feet (the difference between 175 feet and 84 feet) and ten (10) per cent of the project area."

Allan B. Jacobs, Director of Planning, suggested that action on the proposed amendment of the text of the draft ordinance should be deferred until the conclusion of the scheduled public hearing. He also advised the Commission that requests had been received from the Port Commission and other individuals that the area south of the Ferry Building be acted upon separately. He felt that such a procedure would be appropriate.

William Coblentz, representing the Ford Motor Company, stated that his clients fully supported the recommendations of the staff of the Department of City Planning as well as the request for taking separate action on subarea "C" located south of the Ferry Building. He stated that the Ford Motor Company had undertaken a feasibility study of subarea "C" and had submitted its findings to



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the staff of the Department of City Planning for review. The development being proposed would not exceed the 84-foot height limit presently under consideration; and it would conform with the recommendation contained in the Bolles Report on the Northern Waterfront. Although the original plans for the project had not included a passenger ship terminal, consideration was being given to such a facility. The Ford Motor Company regarded the plans which had been prepared for them to be economically feasible; and, therefore, they wholeheartedly supported the ordinance being proposed by the staff of the Department of City Planning.

Commissioner Porter asked if Mr. Coblenz understood that the City Planning Commission had responsibility only for setting development standards and that it would not be in a position to determine whether the Ford Motor Company or another developer would be chosen to develop the site south of the Ferry Building. That responsibility would rest with the Port Commission. Mr. Coblenz replied in the affirmative. He also commented on recommendations which had previously been presented by the San Francisco Planning and Urban Renewal Association and stated that he seriously questioned the feasibility of the bi-lateral agreement between the City Planning Commission and the Port Commission as proposed by SPUR.

John Jacobs, Executive Director of the San Francisco Planning and Urban Renewal Association, stated that his organization supported the height limit recommendations which were being recommended by the staff of the Department of City Planning; however, they wished to offer alternatives which they felt should be considered by the Commission only if certain positive public benefits were offered by the Port Commission. Mr. Jacobs noted that the Port is a deficit-producing operation; and, as a result, the Port Commission is trying to obtain the maximum possible income from its property. At the same time, private high-rise developments are moving closer and closer to the waterfront. After considering the ultimate consequences of those two trends, SPUR had taken the position that it would be willing to have high-rise development on Port property in the vicinity of the Ferry Building if the Port were willing to act positively in the public interest to protect the remainder of the Northern Waterfront. In the interim since the public hearing which had been held on December 11, doubts had arisen as to whether the proposal offered by SPUR at that time would be workable or enforceable; and, as a result, attorneys had been consulted and SPUR was now prepared to offer another suggestion for consideration by the Commission. Under the new proposal, the proposed developer of subarea "C" would be required to lease the air rights for the rest of the Northern Waterfront and to transmit those rights to a trust composed of individuals and organizations. The proposal had been discussed with the Port Commission's attorney who had regarded the proposal as a workable solution. SPUR had also held a meeting with the President of the Port Commission who is dedicated both to the preservation of the Northern Waterfront and to the future of the Port as a nondeficit operation. In view of the desirability of achieving an arrangement such as the one being proposed by SPUR, Mr. Jacobs asked that the Commission defer action on the proposed height limit for subarea "C" until such time as the Port Commission has produced a developer who would agree to purchase air rights over the Northern Waterfront



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for placement in a trust. In conclusion, Mr. Jacobs noted that the Port Commission has the authority to lease land for periods of up to 66 years; and, if no action were taken to protect the waterfront, he asked the Commission to consider how the area might look at the end of the 66-year period.

Edward Lawson, representing the Chamber of Commerce, called attention to the fact that he had previously transmitted a letter to the Commission indicating that the Board of Directors of the Chamber had adopted a policy recommending that the City impose no absolute height limits in subarea "A" north of the Ferry Building and subarea "C" south of the Ferry Building until the Port Commission has first determined that any proposed height limits will permit the development of the subareas in a manner which would be economically acceptable to the Port in terms of its total revenue needs and in consideration of the more stringent development constraints already proposed for the Port properties to the north. He stated that the Chamber was of the opinion that any development proposed for the area south of the Ferry Building should be considered on its own terms and that it should not be judged in relation to what might happen in other areas of the Northern Waterfront. He noted that height limits had already been imposed on portions of the waterfront north of the Ferry Building which would impose constraints on the Port's ability to secure revenue from new construction; and, while the Chamber had no objection to the 40-foot height limitations which had already been imposed, it felt that additional steps should not be taken to further decrease the potential income of the Port.

Robert Hersey, representing the Northern California Chapter of the American Institute of Architects, felt that the height limits proposed by the staff of the Department of City Planning would not stimulate resourceful development of the waterfront properties under consideration. In his opinion, it was important not only that views of the Bay and of the City should be enhanced but that any new developments constructed should create amenities in themselves; and he did not believe that fixed height limits would achieve those amenities. Under the circumstances, he proposed that serious consideration should be given to use of a floor area ratio system with bonuses to control development along the waterfront. The floor area ratio should be set low to reduce the density of development on the property; and a bonus system such as that used in the downtown zoning district could be used to encourage the development of view corridors, ground level access to the water, and other amenities. Most importantly, he felt that the Port Commission, in selling public property, should consider placing a low-dollar value on the property since the cost of land ultimately controls density.

John Merrill, representing the firm of Skidmore, Owings and Merrill, stated that he had no objection to the height limits being proposed for subareas "A" and "B". However, his firm had been engaged in studies of possible developments for subarea "C"; and, based on those studies, he had been convinced that the area south of the Ferry Building is the one area along the waterfront where high-rise developments should be permitted. Unlike other areas along the Northern Waterfront, subarea "C" abuts a C-M zone (SIC) which is not subject to specific height limitation; and, since the logical direction for future expansion of downtown



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would be south of Market and towards the Bay, he felt that high-rise development of subarea "C" would stimulate the growth of the downtown district in the proper direction. Mr. Merrill regarded views at the pedestrian level to be of more importance than views at higher levels; and he also believed that public access to the waterfront should be an important factor in any new waterfront developments. He did not feel that flexible height limits would necessarily result in larger buildings; however, they would provide a better opportunity for distributing any new buildings over the site. Under the circumstances, he requested the Commission to consider adoption of an ordinance which would permit construction of a 40-story building on a portion of subarea "C".

Miriam Wolfe, chief counsel for the Port Commission, stated that her Commission had not had an opportunity to study the new ordinance language which had been recommended by Mr. Steele at the beginning of the meeting; however, she had been advised by the Port's chief engineer that the new language would provide for greater flexibility. Her request was that the Commission adopt an ordinance which would give the Port Commission the greatest amount of flexibility. She noted that Mr. Coblentz had previously stated that the plan proposed by the Ford Motor Company would be economically feasible; however, she noted that Mr. Coblentz had no way of knowing how much the Port Commission might wish to charge for the site. She stated that it was incumbent upon the Port Commission to look to subarea "C" for its own emolument; and, to that end, the Port Commission would endeavor to get the greatest utility out of the property while keeping in mind factors such as aesthetics and proper planning. She assured the Commission that the Port Commission was not officially considering any specific plan for the site at the present time; however, she remarked that any action taken by the City Planning Commission on the proposals under consideration would establish the context within which all proposals for use of the site would have to be considered. She stated that the staff of the Port Commission was in agreement with the height limits which were being proposed for subarea "A"; and they felt that they could live satisfactorily with the height limits being recommended for subarea "B". With regard to subarea "C" however, she felt that a more economical and aesthetic development could be constructed if no height limits whatsoever were to be imposed. Under the circumstances, she strongly urged that no height limits whatsoever be established for at least 10 percent of subarea "C".

Sam H. Husbands, Jr., member of the San Francisco Port Commission, stated that San Francisco's Port has not been competitive since the time when Oakland received a grant for complete remodeling of its port facilities. Also, if the bonds to be issued by the San Francisco Port Commission are going to be revenue bonds, it appeared that it would be imperative for the Port Commission to have supporting revenue. In view of these considerations, he urged the Commission to defer action on proposed height limitations for the area south of Market Street until the Port Commission has had an opportunity to review specific proposals for development of that area.

President Fleishhacker, noting that Miss Wolfe had recommended that "a portion" of subarea "C" not be subject to height limitation and that Mr.



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Husbands had favored leaving the entire area south of the Ferry Building free from height limitations, asked which of the two opinions most closely represented the opinion of the Port Commission. Miss Wolfe replied that removal of height restrictions from the entire area south of the Ferry Building would give the maximum value to the land and the greatest flexibility to the Port Commission; and, because of the conditional use provisions already adopted by the City Planning Commission, the Commission would still have an opportunity to review any proposed developments for the site. However, if the Commission were not willing to leave the entire area free of height restrictions, she hoped that at least a portion of subarea "C" would be left free of such restrictions.

Mr. Husbands stated that the area of primary concern to the Port Commission was the area indicated for high-rise development in the proposal which had been submitted by the U. S. Steel Corporation.

Mr. Turner, representing the Maritime Trades Department of the Marine Cooks and Stewards Union, strongly urged that the Commission adopt no height limit restrictions for the area south of the Ferry Building. He believed that construction of the project proposed by U. S. Steel would help to keep the Port of San Francisco in business; and only if the Port of San Francisco were to remain in business would the members of his Union be protected from having to move to Oakland.

Robert Katz felt that the Commission should not act in favor of specific projects; and, for that reason, he believed that it would be unwise for the Commission to separate subareas "A" and "B" from subarea "C" in taking action on the proposed height limit. He doubted that the Commission could help but be influenced by the well-thought-out projects which had been submitted by the Ford Motor Company and the U. S. Steel Corporation; however, he felt that such preliminary proposals should not move the Commission to consider subarea "C" separately from the other areas under consideration. He noted that he had been opposed to separating the height limit proposals for the Ferry Building area from the Commission's consideration of height limits for the remainder of the Northern Waterfront area since the entire area had been studied as a whole. However, since that separation had already been made, he did not feel that the mistake should be compounded by further separating consideration of the proposals for subarea "C".

With regard to the proposal which had been offered by SPUR, Mr. Katz remarked that the president of the Port Commission had been quoted in the newspaper as having said, "I can't guarantee anything". In any case, guarantees such as those which were desired by SPUR would not give the Commission any more control than it already has. In fact, the president of the Port Commission had already indicated that he did not intend to use more than 40 percent of the Port's property for Port or commercial uses; and that remark in itself would seem to imply that 60 percent of the Port's land would remain available for



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open space. Mr. Katz noted that the U. S. Steel proposal would provide a new passenger ship terminal; but a representative of one of the major steamship lines had informed him that it was a matter of indifference to them whether they remain in San Francisco or not. Mr. Katz was of the opinion that it would not be a matter of indifference to the City whether or not passenger ship facilities continue to be available; however, the passenger ship terminal being proposed by U. S. Steel would be hidden from the City by the rest of the proposed development.

Mr. Katz stated that he had often heard people say that businesses and industries will leave San Francisco if their wishes are not granted by the City; but he believed that the reality of such a reaction had not yet been proven. In fact, it is families who are leaving San Francisco; and unless the City is able to achieve a good balance between amenities and commercialism, it is bound to lose its most important resource. People are leaving the City because its amenities are disappearing and because it is becoming less and less liveable. They are obviously not leaving the City because of the high tax rate since taxes are higher in the suburbs.

Mr. Katz noted that the Commission had already adopted a master plan which set lower height limits for the Ferry Building area than those presently being recommended by the staff of the Department of City Planning; and he urged that the Commission take action at the conclusion of the present hearing to formally adopt the height limits which had been specified in the Master Plan. If the Commission were not willing to act in that manner, he would be willing to support the recommendations of the staff of the Department of City Planning. However, he would not be willing to support any further lessening of height restrictions for the area under consideration.

Levis Lindsay, representing the Transportation Committee of the Citizens Planning Committee, remarked that San Francisco is located in an earthquake zone where high-rise buildings cannot be constructed with safety. He felt that it was important that the tower of the Ferry Building should remain the dominant feature along the waterfront; and, therefore, he believed that no new structures in the area should be permitted to exceed the height of the roof of the Ferry Building.

The Director stated that he had listened to the testimony which had been offered by members of the public and had heard no arguments which had not already been considered by the staff of the Department of City Planning in the formulation of its recommendations. He therefore recommended that the Commission act to amend Section 120.5 of the proposed ordinance as recommended by Mr. Steele. He felt that the Commission should then decide whether or not it wished to separate subarea "C" from subareas "A" and "B". If the items were to be separated, the Commission should then proceed to act on map and text amendments for subareas "A" and "B" and then for subarea "C".



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After further discussion it was moved by Commissioner Newman, seconded by Commissioner Mellon, and carried unanimously that Section 120.5 of the text of the proposed ordinance be amended to change the method by which height exceptions would be permitted in accordance with the recommendation previously made by Mr. Steele.

President Fleishhacker then delivered the following statement:

"The issues before us today relate to the final accomplishment of the Northern Waterfront Plan and, specifically, the areas immediately north and south of the Ferry Building.

"The purpose of this entire plan was to allow the port to develop this area, taking into consideration the changing needs of maritime activity and to obtain sufficient revenues from non-maritime uses to finance the new port facilities required to maintain the San Francisco port as an outstanding harbor.

"At the same time there was agreement that careful planning would be necessary to enhance the beauty of the city and make sure that citizens would have maximum access to the water and enjoyment of the natural beauty of the bay.

"The original Bolles plan stressed the need for limitation of height and excellence of design. The port, unfortunately, has not presented us with their actual financial requirements and it is therefore difficult to estimate the degree of development required to provide them with the land rental which they need.

"Definite limitations imposed by BCDC will restrict the amount of water coverage of the entire area, which automatically guarantees a substantial amount of open space. Within this framework there is a great deal of latitude and many alternatives are available to the port and no solid evidence has been presented that indicates the necessity to increase height limits above those recommended by the Planning Department staff in order to satisfy the financial requirements of the port.

"It has been stated that if the two areas north and south of the Ferry Building could be developed more



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extensively with excess height no further non-maritime development would be required. This, however, is not the only alternative and may well be the least desirable. There is strong evidence that within the Planning Department staff recommendations sufficient rental income can be obtained to give the port its required income and, taking the area as a whole, there is no question that reasonable development can be worked out without violating the basic principles of the Northern Waterfront Plan.

"It is my strong feeling that the staff recommendations should be immediately adopted, the port should explore a variety of alternatives, and only if and when they are in a position to prove to this Commission that they cannot survive within these guidelines should a relaxation of these restrictions be considered."

At the conclusion of President Fleishhacker's statement, Commissioner Kearney moved that action on subarea "C" be taken separately from action on the other areas under consideration. The motion was seconded by Commissioner Newman and carried unanimously.

It was then moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that the text amendments for subarea "C" be considered separately from the text amendments for the other areas under consideration.

Subsequently, it was moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that the map amendments for subarea "C" be considered separately from the map amendments for the other areas under consideration.

It was then moved by Commissioner Kearney, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6474 be adopted and that the text amendments recommended by the staff for all areas under consideration except subarea "C" be approved.

A motion was then made by Commissioner Newman and seconded by Commissioner Porter that Resolution No. 6475 be adopted and that the map amendments recommended by the staff for all areas under consideration except subarea "C" be approved. When the question was called, the Commission voted unanimously in favor of the motion.

Subsequently, President Fleishhacker relinquished the Chair to Vice President Kearney and moved that the text amendments which had been recommended by the staff of the Department of City Planning for subarea "C" be adopted. The motion failed for want of a second.



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Vice President Kearney returned the gavel to President Fleishhacker. He then remarked that the Port does have a difficult problem in trying to raise revenue to protect against the Port's becoming a tax burden on the City; and the only means they have of obtaining such revenue is to get the highest amount of value out of the Port's property which will not be required for maritime use. He felt that the waterfront property located between Howard Street and the Bay Bridge is less sensitively located with regard to the objective of view protection than the Port properties located north of the Ferry Building. He believed that the recommendation of the staff of the Department of City Planning which would allow a maximum height of only 175 feet within subarea "C" would discourage the best possible use and development of the property; and he did not feel that construction of a building with greater height in the center of the property would have any harmful effect on the aesthetics of the area as they relate to the present picture of the Ferry Building tower and the Bay Bridge. Furthermore, since the development of the site would bring with it an opportunity for creation of passenger ship terminal facilities in the area, he felt that the development should be encouraged. Under the circumstances, he recommended that Section 120.5 of the text of the draft ordinance be amended to read as follows:

"(b) In Sub-Area C of the 84-Foot Height Section (Sec. 295.2(c)) such height exceptions may be permitted provided that:

1. Any portion of the building or structure approved by the Planning Commission exceeding 84 feet be designed to present a tower-like appearance, and
2. The height of said building or structure so approved shall be not more than 400 feet as measured from The Embarcadero in accordance with the provisions of Sec. 120.2 of this code.
3. Any portion of the building or structure so approved by the Planning Commission shall be located within the area bounded by The Waterfront Line, a line parallel to and distant therefrom 400 feet northeasterly, between the southeasterly line of Howard Street (extended) and the northwesterly line of Folsom Street (extended)."

Commissioner Mellon seconded the motion which had been made by Commissioner Kearney.

President Fleishhacker agreed that sufficient revenues would have to be developed for the Port Commission; however, given the amount of property which is owned by the Port Commission, he felt that it would be more desirable to scatter new developments over a wider area rather than to maximize development



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on a single parcel of property. In his opinion, the best procedure for the Port Commission to follow would be to determine the amount of revenue which it will need and then to estimate the amount of revenue which could be obtained from smaller developments in other areas; and, if that procedure were to be followed, he was confident that the Port Commission would be able to balance its budget without having to maximize development on the property located south of the Ferry Building.

Commissioner Mellon believed that the more restrictive height limits which had been recommended by the Director of Planning would, to a degree, prejudice the position of the Port Commission in endeavoring to interest potential developers in its property. In order to determine the amount of revenue which will be needed by the Port and the amount of revenue which could be provided by developments in other areas would involve a considerable amount of time; and the results of such an analysis would at best be only a "guestimate". Therefore, in view of the circumstances of the case and in view of the time element involved, he felt that the amendments which had been recommended by Commissioner Kearney would be in order.

When the question was called, the Commission voted 6 - 1 to amend Section 120.5 of the text of the draft ordinance as recommended by Commissioner Kearney. Commissioners Finn, Kearney, Mellon, Newman, Porter, and Ritchie voted "Aye"; Commissioner Fleishhacker voted "No".

It was then moved by Commissioner Mellon, seconded by Commissioner Finn, and carried unanimously that Resolution No. 6476 be adopted and that the revised text amendment for subarea "C" be approved.

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Finn, and carried unanimously that Resolution No. 6477 be adopted and that the map amendment for subarea "C", as revised in accordance with Commissioner Kearney's recommendation, be approved.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Lynn E. Pio  
Administrative Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, January 22, 1970.

The City Planning Commission met pursuant to notice on Thursday, January 22, 1970, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Mortimer Fleishhacker, President; James S. Kearney, Vice President; Walter S. Newman, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Commissioners James K. Carr and Thomas J. Mellon

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation; Robert Passmore, Assistant Zoning Administrator; Richard Gamble, Planner IV; Ralph Mead, Planner IV (Zoning); Franz von Uckerman, Planner II; and Lynn E. Pio, Secretary.

Peter Stack represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner.

1:00 p.m. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on February 5, 1970.

2:15 p.m. - 100 Larkin Street

ELECTION OF OFFICERS

President Fleishhacker relinquished the Chair to Vice President Kearney. It was then moved by Commissioner Newman and seconded by Commissioner Fleishhacker that James S. Kearney be nominated for the office of President of the City Planning Commission. It was then moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that the nominations for the office of President be closed. When the question was called on the principal motion, the Commission voted unanimously to elect Mr. Kearney President.

Mr. Kearney then called for nominations for the office of Vice President. It was moved by Commissioner Porter and seconded by Commissioner Fleishhacker that Walter S. Newman be nominated for the office of Vice President of the City Planning Commission. It was then moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that nominations for Vice President be closed. When the question was called on the principal motion, the Commission voted unanimously to elect Mr. Newman as Vice President of the Commission.

President Kearney felt that all of the members of the Commission would join with him in expressing appreciation to Commissioner Fleishhacker for the amount of time he had devoted to the affairs of the Department of City Planning in the past year. He felt that the Commission had enjoyed a



very good year under Commissioner Fleishhacker's leadership; and he regarded the Commission of the past year as being the best one on which he had served in terms of courage and sensitivity. Given a highly qualified staff and the best planning director in the United States, he felt that the Commission could not help but look forward to another great year in 1970.

Vice President Newman concurred with President Kearney's remark and expressed his own appreciation to Commissioner Fleishhacker for the outstanding and enlightened leadership which he had offered to the Commission during the past year.

#### CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that he had attended a meeting of the State Senate Subcommittee on Rapid Transit on Tuesday to comment upon the pros and cons of postponing construction of the proposed Southern Crossing.

The Director advised the Commission that the Interim Capital Improvement Report had been completed and submitted to the Capital Improvement Advisory Committee on January 20 in accordance with a deadline set by the Charter.

The Director informed the Commission that the fourth major report to be produced for the Urban Design Study will be available next Wednesday.

The Director advised the members of the Comprehensive Plan Committee (Commissioners Kearney, Newman and Porter) of a meeting tentatively scheduled for next Friday, January 30, for discussion of the Residence Component of the Basic Policies Plan.

#### CONSIDERATION OF FINAL PLANS FOR VISTA FRANCISCO SUBDIVISION NO. 2

Robert Passmore, Assistant Zoning Administrator, stated that the City Planning Commission had acted in the latter part of 1967 to approve a planned unit development application for 263 dwelling units on the subject site based on the then current R-3 zoning of the property. During the early part of 1968, however, the Commission and the Board of Supervisors had acted to change the zoning of the property from R-3 to R-2; and the Commission had requested that a new planned unit development for the site be prepared for its review. He displayed a model of the new proposal which had been prepared by the architects for the applicant, noting that the road alignment within the subdivision had been changed slightly so that some of the buildings could be reduced in height. The applicant now proposed to construct 225 dwelling units on the site which would consist of 28 studio apartments, 137 one-bedroom apartments, and 60 two-bedroom apartments. The density of the project would be one dwelling unit for each 1,063 square feet of lot area, a density which would exceed that allowed in an R-2 district but would be less than that which would be allowed in an R-3 district. Approximately 200 square feet of usable open space would be provided for each of the dwelling units. He stated that the proposal which had been



submitted was generally in conformity with the applicable provisions of the City Planning Code; and he remarked that the applicants had agreed to change the coloring of the walls of the buildings from white to light green or buff and the color of the roofs from red to green so that the buildings would not be so noticeable from Market Street. He also indicated that more extensive landscaping would be provided than was shown on the model.

Commissioner Porter asked if the buildings would have to be repainted the same color in the future. The Director replied that the Commission should probably not have a strict policy in that regard. He then recommended that the plans which had been submitted be approved with the revisions which had been described by Mr. Passmore.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the plans be approved as recommended by the Director of Planning.

R70.2 Two Turnkey Housing sites on Bernal Heights;  
77 Coleridge and 105 Lundy's Lane.

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"Pursuant to Sections 116.1 and 118 of the Charter, the subject referral has been received from the Housing Authority and Mr. Charles Rosenbaum, architect for Commercial Construction Co. proposing for two separate sites, in the same general vicinity on the west side of Bernal Heights, the construction on each site of a dwelling containing two dwelling units under the turnkey housing process.

The two subject sites are zoned R-2. The site on the southeast corner of Lundy's Lane and Esmeralda Avenue is a rectangular lot having frontages of 29.25 feet on Lundy's Lane and 70 feet on Esmeralda for a site area of 2,047 square feet. The site on Coleridge Street is also rectangular, is 25 feet wide and 70 feet deep for an area of 1750 square feet.

The two dwelling units in each of the two proposed dwellings are placed side-by-side rather than on top of each other, the most common design of two family dwellings in an R-2 district. In this manner the architect has been able to provide each of the proposed units with a small rear yard area immediately adjacent to the indoor living area of each unit, and in a sense the proposal resembles narrow single-family row-house concept. Each dwelling unit contains 4 bedrooms and two baths. Each building is three floors in height; the proposed dwelling on Coleridge provides 4 off-street parking spaces (including two blocked spaces) in a



garage under the three floors of main living space; the dwelling on Lundy's Lane provides two off-street parking spaces in non code required front setback area. The architect and Housing Authority have indicated that the open parking is desirable in this case because of the lower building costs involved.

The Plans meet all Planning Code requirements for the subject sites, and Housing Authority approved the plans under their Resolution No. 1690.

The immediate subject neighborhood is developed primarily with one-family dwellings; a few two family dwellings also exist. A number of these one and two-family dwellings do not have off-street parking. Where off-street parking is provided, it is within the dwellings or otherwise screened from the street. The dwellings are generally one or two floors in height over the ground floor parking level.

The subject sites are approximately one block from the Mission Street commercial district. Elementary schools are approximately six blocks to the south and west."

The Director recommended that the subject sites be approved as in conformity with the Master Plan. However, because the staff of the Department of City Planning believed that the proposed open parking in front of the dwelling on Lundy's Lane would be undesirable because of the visual effect it would have on adjacent and facing dwellings in the block, and because the open parking in front of the building would tend to point out the dwelling as being different from others in the neighborhood, and because the open parking might set a precedent which would encourage future Turnkey developers to propose use of front setbacks for open parking in even more inappropriate ways and locations, he recommended that the Commission request the Housing Authority to seek a more appropriate parking solution for the Lundy's Lane site which would better screen the off-street parking from the street and from adjacent and facing dwellings.

Steve Roake, a resident of the subject neighborhood and a member of the Board of Directors of the Bernal Heights Association, submitted copies of a letter which had been addressed to the City Planning Commission and which had been signed by twelve residents of Lundy's Lane. The letter read as follows:

"We, the undersigned neighbors of the proposed apartment building, are very upset and strongly opposed to the apartment building to be built as our neighbor at 105 Lundy's Lane. We object because:

1. The proposed building with two apartments of 4 bedrooms each (to accommodate a total of 16 people), is far too



large for the small lot and the very small street we live on. Our homes are mostly two or three bedroom single family buildings, which we own and are very proud of. We do not want any large apartment buildings on our block.

2. The proposed apartment has a concrete parking lot in front of it. We do not want a parking lot on our block. Cars parking on our streets and sidewalks are one of our major problems already. All other new buildings in our neighborhood have fully enclosed garages and we demand this building to be built by the City of San Francisco also have fully enclosed garages.

We therefore ask the Planning Commission to require:

- 1) the building to be specifically designed to accommodate smaller families, and
- 2) we demand parking be in fully enclosed garages with doors."

Commissioner Fleishhacker noted that the property on Lundy's Lane is in an R-2 zoning district; and he pointed out that the building being proposed would have only two dwelling units. Under the circumstances, he did not feel that references to the proposed building as an "apartment building" were accurate or appropriate. The Director agreed. He emphasized, however, that the staff of the Department of City Planning did concur with residents of the neighborhood in their feelings about the open parking area proposed for the front of the building. Nevertheless, since the property is zoned R-2, and since a two-family dwelling could legally be constructed on the site through private enterprise, he did not feel that the project proposed could be declared inappropriate for the site since it would be distinguished only by the fact that it would be public housing.

Commissioner Porter stated that she was a supporter of the scattered site public housing program. However, she doubted whether the project under consideration would ever be developed on the subject site by a private developer. Since each of the two units proposed would have four bedrooms, and since the rest of the houses on the block have only one or two bedrooms, she felt that it would be too large for the area. Although she recognized the need for public housing for families, she felt that no public agency should be responsible for changing the pattern of neighborhood development to the extent called for in the subject proposal.

Commissioner Ritchie asked if renderings were available to show how the proposed building would relate to other buildings in the block. Charles Rosenbaum, architect for the applicant, submitted and described a photograph which he had taken of the street with the proposed building superimposed to indicate its relation to other properties in the area. He emphasized that the building would be designed like a typical row house.



Commissioner Porter inquired about the cost of the proposed buildings. Mr. Rosenbaum replied that construction of the buildings would be quite economical and in line with Government regulations. Under a new program of the Federal Government, it was hoped that the units would eventually be sold to their tenants; and, for that reason, special effort had been made to design the homes to blend into the neighborhood pattern. He did not believe that the size of the units proposed would be inappropriate for the subject neighborhood; and, in any case, the type of units which are needed by the Housing Authority are those which have more than two bedrooms.

Commissioner Ritchie stated that the rendering which had been supplied by the architect was unsatisfactory in that it did not really show how the proposed building would relate to other buildings in the area.

Mr. Rosenbaum noted that the proposed building would be set back from the street so that it would not be imposing; furthermore, while plans are in progress to plant street trees on both sides of Lundy's Lane at some future date, the planting which would be installed in front of the proposed building would bring an amenity to the present appearance of the street. He referred to another photograph which he had taken of the street to point out that even people who have garages tend to park on the sidewalks during the daytime when children are playing in the area; and he felt that the building which he proposed to construct will be better than most of the others in the area insofar as it would provide a legal parking place in front of the building which would not obstruct pedestrian traffic on the sidewalk.

Mrs. Genette Sonnesyn, 104 Lundy's Lane, stated that she had talked with most of the neighbors in the area, people of all ages and people of various racial backgrounds. They had all agreed that they could accept Turnkey Housing in the neighborhood; however, at the same time, they had all agreed on two basic objections to the proposed project. The first objection was that the building would be too big for the street. The right-of-way of Lundy's Lane is only 35-feet wide; and most of the lots measure only 25 feet by 70 feet. At the present time, the street has 21 single-family homes and only 5 two-family dwellings; and none of the existing dwellings has more than two or three bedrooms. If the subject property were developed with two units having four bedrooms each, the density of usage would be almost double that of any other lot on the block. She understood the need of the Housing Authority for larger dwelling units; however, since construction of the proposed building could bring as many as twelve more children to Lundy's Lane, she felt that it would have too great of an impact on the neighborhood. Furthermore, while the whole purpose of turnkey housing is to blend public housing units into existing neighborhoods, the proposed building would be so large that it would definitely stand apart from others in the area.

Mrs. Sonnesyn stated that the second objection raised by residents of the neighborhood to the proposed building was related to the open off-street parking spaces which would be provided in the front setback. She noted that every other apartment building on the street has enclosed



parking spaces available; yet, in spite of that fact, a large number of cars are parked on the street already. She informed the Commission that a program is being undertaken to plant street trees along Lundy's Lane; and she doubted that planting would be installed in front of the turnkey housing site as proposed since landscaping is always the first thing to be cut out of a budget. Therefore, instead of having the parking places provided as proposed by the applicant, she felt that the building should be required to have inside parking spaces like other new buildings in the area. In conclusion, she urged the Commission to require the developer to reduce the size of the proposed building and to place the required parking spaces inside. She also suggested that some standard should be established to integrate turnkey housing into established neighborhoods.

The Director stated that a representative of the Housing Authority had indicated that they would be amenable to postponing action on the Lundy's Lane site to provide an opportunity for further discussion of the proposal. Therefore, he recommended that positive action be taken approving the Coleridge site and that action on the Lundy's Lane site be deferred for one week.

Commissioner Ritchie requested Mr. Rosenbaum to revise the plans for the proposed building to reduce the number of bedrooms in each of the units to two or three and to provide for enclosed parking. He also asked that more explanatory renderings be provided to illustrate how the proposed building would blend into the subject neighborhood as seen from each side and from the rear.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that further consideration of the Lundy's Lane site be taken under advisement until the meeting of January 29, 1970.

Sally Green, representing the Bernal Heights Association, felt that the objections which had been raised regarding the Lundy's Lane site were justified. Although no objections had been raised regarding the Coleridge Street site, she thought it was possible that no one from the Department of City Planning or the Housing Authority had talked to the residents of that area. She noted that both the City Planning Commission and the Board of Supervisors had spent a considerable amount of time reviewing the overall neighborhood plan which had been prepared by the Bernal Heights Association; and, since that plan had finally been approved, she felt that City agencies considering proposals for the neighborhood should be willing to give the neighborhood sufficient time to discuss the proposals and to react to them.

The Director stated that the Commission's responsibility was to determine whether use of the sites in question for turnkey housing would be in conformity with the Master Plan. Pursuant to the Commission's action, a public hearing would be scheduled by the Board of Supervisors before they would take final action on the proposals. Therefore, since the residents of Coleridge Street would still have an opportunity to raise objections at



a public hearing before the Board of Supervisors, he recommended that action be taken during the present meeting to approve the Coleridge Street project as being in conformity with the Master Plan.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried 4 to 1 that the Director be authorized to report that the development of Lot 24 in Assessor's Block 5610A with a two-family dwelling for low-income families is in conformity with the Master Plan. Commissioners Fleishhacker, Kearney, Newman and Ritchie voted "Aye"; Commissioner Porter voted "No".

Commissioner Porter remarked that the Commission had spent a great deal of time working with Bernal Heights in preparation of its plan; and, under the circumstances, it seemed to her most unfortunate that various City agencies should proceed to work independently without any proper regard for planning. She acknowledged that the turnkey housing proposed for the Coleridge Street site would technically be in conformity with the Master Plan; however, she felt that concerned property owners should have an opportunity to raise objections before the City Planning Commission rather than being referred to the Board of Supervisors. For that reason, she had voted "No" on the motion approving the Coleridge Street site.

Mr. Passmore assured the Commission that the Housing Authority is anxious to work with neighborhood organizations and individual property owners in achieving turnkey housing projects which will blend into the neighborhoods in which they will be located.

#### R113.69.9 Resubdivision of Golden Gate Heights

Robert Passmore, Assistant Zoning Administrator, advised the Commission that the applicant proposed to resubdivide approximately 10 acres of vacant land in Golden Gate Heights along Lawton Street, 15th Avenue, Aloha Avenue, 14th Avenue, Noriega Street, 16th Avenue, and Lolita Avenue into 144 lots. He noted that the streets have already been improved in the area and that the area is presently zoned R-1. While the site is generally composed of steep terrain with two-to-one slopes, some of the lots are relatively level. Although no precise building plans had been submitted, the applicant had indicated his intention to develop the lots with single-family homes which would sell for \$45,000 to \$70,000 per unit. The houses would be constructed principally of redwood; and utilities would be undergrounded except where they are already installed along the rear lot lines. In conclusion, Mr. Passmore distributed photographs of other houses which had been constructed by the applicant.

The Director felt that the proposed resubdivision should be approved; however, he hoped that the Commission would authorize him to transmit certain design recommendations to the Director of Public Works which could be referred to in consultation with the Department of City Planning when final building plans have been submitted. Those recommendations would be as follows:



### "Grading

Slopes should be a maximum of 2:1, except that where this is not feasible, they should then be no steeper than 1 3/4 to 1.

Wherever retaining walls are used, they should have a maximum height of 5 to 6 feet. If a greater height is necessary, a series of lower terraces should be employed. It is suggested that the walls be of an integral earth color and provision made for planting.

### Setback Lines

Setback lines should be established of sufficient depth to allow the parking of cars without overhanging onto the sidewalk - approximately 18 feet. Where the setback distance cannot accommodate the full length of a car, it is recommended that the depth then be limited to 6 or 8 feet. A minimum setback of 3 feet should be allowed for landscaping.

Pavement within the setback area should be kept to a minimum, using a portion of driveways as entrance walks where this would result in attractive front landscaping treatment.

### Location of driveways

In order to provide on-street parking spaces and broader planting areas, driveways for each two houses should be adjacently located, and double entranceways landscaped with trees.

### Street trees and other landscaping

All streets should be planted with street trees according to specifications of the Department of Public Works.

Other street areas, unnecessary to traffic movement, should also be planted.

After the completion of grading, it is recommended that plantings of groups of trees and other appropriate plant materials be used to enhance the appearance of the area.

### Undergrounding of utilities

Utilities should be undergrounded except where they are already installed along the rear lot lines.



Lot sizes

The lot lines should be adjusted so that lots have a minimum area of 2500 square feet."

Commissioner Fleishhacker asked if there would be any effective way to police the design recommendations. Mr. Passmore replied that the staff of the Department of City Planning could recommend that the plans be brought before the Commission for review under its discretionary authority if it were felt that the design recommendations were not being followed.

Commissioner Ritchie asked if the developer felt that he would be able to live with the design requirements being recommended by the Director of Planning. Joe Fitzpatrick, the applicant, replied in the affirmative and emphasized that he wanted to produce as fine a project as possible.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the Director be authorized to report that the resubdivision of portions of Golden Gate Heights was approved subject to the design recommendations which had been outlined.

PRESENTATION OF STAFF REPORT ON PROPOSED HEIGHT LIMITS FOR OCEAN BEACH

R. Spencer Steele, Assistant Director-Implementation, presented and summarized the report on Proposed Height Limits for Ocean Beach which is available in the files of the Department of City Planning. The recommendations of the report were stated as follows:

"In conclusion, it would appear that specific height limits are essential for the preservation of the qualities of the areas -- residential, commercial and recreational districts. Therefore it is recommended that development north of Wawona Street be limited to 40 feet in those areas presently under the interim 40-foot height limit, and including the block along the Great Highway between Vicente and Ulloa Streets. Between Wawona Street and Sloat Blvd., it is recommended that high rise development be permitted extending from the Great Highway to 44th Avenue and the small frontage on Sloat Blvd. half-way to 43rd Avenue to a maximum height of 100 feet."

Allan B. Jacobs, Director of Planning, advised the Commission that two urban design consultants under contract to the Department of City Planning had independently arrived at the conclusion that it would be desirable to have buildings of greater height located along Sloat Boulevard in the vicinity of the Great Highway. The staff of the Department of City Planning had recommended that heights of up to 100 feet be allowed in that area because the intersection of Sloat Boulevard and the Great Highway serves as a gateway to the City for people arriving by way of Skyline Blvd.



Commissioner Ritchie remarked that it was most unfortunate that the City had not previously been able to purchase the Sutro Baths site. The Director agreed and emphasized that even the 40-foot height limit which was being recommended by the staff of the Department of City Planning for that area would allow construction of buildings which wreak havoc in the area. The only solution would be to have a height limit of zero feet for that area; and the only way to accomplish that would be to buy the property. The voters of San Francisco had had an opportunity to approve a bond issue for purchase of the Sutro Baths property; but they had failed to give it sufficient support. Apparently the only reason that the property still remains in its natural state is that the present owners are having second thoughts about the residential development which they had proposed for the site.

Commissioner Porter felt that the Commission should take radical action regarding height limitation on the Sutro Baths site in order to preserve some of the existing views for enjoyment by the public. The Director stated that he did not necessarily disagree with Commissioner Porter's point of view; however, if the Commission were to establish a 20-foot height limit for the Sutro Baths area, he believed that it was more than likely that the property owner would claim that the City, while unwilling to purchase the property, was discriminating against him.

Commissioner Fleishhacker asked if it would be legal for the Commission to establish a 20-foot height limit or even a zero-foot height limit for the Sutro Baths property. The Director replied that it was likely that no height limit of less than 10 feet would be legal. He then asked if it were the general consensus of the Commission that a lower height than the one proposed by the staff of the Department of City Planning would be desirable for the Sutro Baths area.

Commissioner Ritchie believed that the owners of the property would react strongly if the Commission were to place a lower height limit on the site since it is so difficult to construct projects at a height of 40 feet or less. If a 20-foot height limit were established for the Sutro Baths property, he believed that it would be almost impossible to develop the site. Nevertheless, while he realized that a considerable fight might be in the offing, he was prepared to support a lower height limit for the property. He wondered, however, if it might be possible to recommend a variable height limit for the site similar to the variable height limits which had been recommended for the areas adjacent to the Ferry Building.

The Director stated that it would be extremely difficult to formulate a recommendation for a variable height limit for the Sutro Baths property; and, in any case, he preferred to minimize the use of variable height limit districts. He stated, however, that the staff would explore the feasibility and desirability of recommending a height limit of less than 40 feet for the site.



President Kearney suggested that the staff of the Department of City Planning should also reconsider the area between the Cliff House and Sloat Boulevard to determine whether height limits of less than 40 feet might be desirable in certain locations there, also.

Commissioner Fleishhacker stated that he would like the staff to be prepared to report on whether construction would be possible under a 20-foot height limit if such a height limit were to be recommended.

The Director stated that the impact of a 20-foot height limit would ultimately depend upon the location of the point from which the limit would be measured. He felt that there was no question but what it would be possible to build something under a 20-foot height limit; however, the property owners involved would most assuredly claim that establishment of a 20-foot height limit would be confiscatory since the price at which they purchased the property had been based upon the anticipation that buildings could at least be constructed to a height of 40 feet. Yet, he stressed that the basics of zoning have nothing to do with property values and are related only to health, safety, and the public welfare. In spite of those principles, however, the property owner could regard establishment of more restrictive height limits as a confiscatory action; yet, establishment of any land use control might be regarded in the same light.

Commissioner Porter remarked that the first height limits which had been adopted for Telegraph Hill had been measured from sea level; and she felt that use of the same principle with regard to the Sutro Baths site might provide the best protection. In any case, she felt that the Commission should at least make an effort to preserve the views presently available in that area.

Commissioner Fleishhacker noted that no height limits had been recommended for Golden Gate Park and asked if it might not be desirable to recommend controls for that publicly-owned property similar to those being recommended for private property to the north. The Director replied that any height limits established for Golden Gate Park by the City Planning Commission would have questionable legal status; by continuing to work with the Recreation and Park Commission, however, he believed that it would be possible to achieve the same objectives.

Commissioner Ritchie stated that he was very much in favor of limiting the height of buildings as much as possible along Ocean Beach. Yet, he felt it important to recognize that the area under consideration, while of uniform character in terms of development, is of conglomerate character in terms of land uses. In his opinion, the areas in question are physically unattractive and in need of considerable improvement, including the beach itself which is seriously in need of attention. While the area is undergoing a change, the City Planning Commission should look to the future; and, while height limits of 40 feet might be considered too generous in some respects, he felt that such a height limit might result in "second-class development" since there is little that can be done under a 40-foot height limit. Under the circumstances, he felt that establishment of a 40-foot



height limit might have the effect of restricting one of the world's greatest ocean frontages to perpetual mediocrity.

The Director, noting that mediocrity could still result under a 200-foot height limit, stated that he did not agree with Commissioner Ritchie that a 40-foot height limit in and of itself would result in mediocre construction. He stated that the staff of the Department of City Planning would look into the desirability of recommending lower height limits for the Cliff House-Sutro Baths area and for other strategic areas along the waterfront. However, in order to establish a legal basis for a public hearing on establishment of height limits for the areas under consideration, he recommended that the Commission adopt a draft resolution which he had prepared declaring its intention to hold the public hearing on the matter and authorizing the Zoning Administrator to set a time and place for the hearing.

After further discussion, it was moved by Commissioner Fleishhacker, and seconded by Commissioner Ritchie that the draft resolution be adopted declaring the Commission's intention to hold a public hearing to consider proposing to the Board of Supervisors amendments to the text and zoning maps of the City Planning Code which would establish the special height limit districts recommended by the staff in its report dated January 22, 1970, with possible revisions relating to lower height limits for the Cliff House-Sutro Baths property and that the Zoning Administrator be authorized to set a time and place for the public hearing.

Commissioner Newman asked why the staff had recommended a height limit of 100 feet for properties located on Sloat Boulevard near the Great Highway instead of a greater or lesser height limit. The Director replied that buildings of approximately 10 stories appeared to the staff to be appropriate for that area.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Resolution No. 6478.

#### CURRENT MATTERS (Continued)

Commissioner Fleishhacker stated that he had received a letter from Mrs. Walter C. Dana requesting the Commission to exercise its power of discretionary review and to disapprove a building permit application which had been filed for construction of a 12-story hotel on the southwest corner of Van Ness Avenue and Lombard Street.

The Director recommended that the Commission not exercise its power of discretionary review in the present instance. He noted that the Commission had tried to minimize its use of the discretionary review authority except in extremely important issues; and, in instances where the discretion had been used, the Commission had usually given some type of forewarning to property owners who would be affected. Parenthetically, he noted that

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the application which had been filed for the hotel did not meet all of the standards of the City Planning Code and could not be approved by the staff of the Department of City Planning in its present form.

Commissioner Fleishhacker noted that in the immediate area, Van Ness Avenue is presently governed by a 105-foot height limit; and, although the height of the proposed building seemed to be the principal issue at stake, he did not feel that the Commission could change its standards regarding the subject property without reconsidering the appropriateness of the 105-foot height limit standard for the remainder of Van Ness Avenue.

Commissioner Porter felt that the only practical effect of discretionary review proceedings in the present instance would be to delay the project for a while and to make everything more difficult for the developer.

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the Secretary be instructed to respond to Mrs. Dana that her request had been considered and that the Commission had decided that use of its discretionary review authority over the permit application for the hotel would not be appropriate.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary

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SAN FRANCISCO  
CITY PLANNING COMMISSION

The City Planning Commission met pursuant to notice on Thursday, January 29, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President;  
Walter S. Newman, Vice President;  
James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon,  
Mrs. Charles B. Porter, and John Ritchie, members of the  
City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation; Samuel Jung, Planner IV; Peter Svirsky, Planner IV; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and William Dorais represented Television Station KQED. Television Channels 2 and 4 were also represented.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of November 20, 1969, and January 8, 1970, be approved as submitted.

CURRENT MATTERS

The Director reported that the fourth major report produced as a result of the Urban Design Study had been presented to the Urban Design Citizens Advisory Committee on Wednesday.

The Director advised the Commission that he plans to attend the annual conference of the California Chapter of the American Institute of Planners in San Diego during the weekend of March 20 through 22.

In accordance with a recommendation submitted by the Director, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that an "essential" rating be established for two Capital Improvement projects which had not been submitted in time to be considered by the Commission during its earlier Capital Improvement Program hearings. The first project involves construction of an elementary school in the Hunters Point Redevelopment Project area; the second project involves establishment of a revolving fund to finance various planning studies and minor Capital Improvements which would be administered by the Capital Improvement Advisory Committee.

For the purpose of this study, the following data were collected from the records of the University of Chicago Library, 1910-1915, at 211 East 5th Street, Chicago, Illinois.

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At this point in the proceedings, Commissioners Finn and Mellon arrived in the meeting room and assumed their seats at the Commission table.

R70.2      Turnkey Housing at 105 Lundy's Lane.  
(Under Advisement from Meeting of January 22, 1970.)

The Director stated that he had received a letter from Evert Heynneman, Principal Planner for the Housing Authority, requesting that further hearing of the subject turnkey proposal be postponed until the meeting of February 5, 1970. Mr. Heynneman's letter further stated that tentative agreement had been reached with the Bernal Heights Association regarding modifications to the proposal; and revised plan were being prepared which would be available in one week.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that further hearing of the subject referral be postponed until the meeting of February 5, 1970.

At 2:50 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to the Chambers of the Board of Supervisors in City Hall and reconvened at 3:00 p.m. for hearing of the remainder of the agenda.

3:00 p.m. - Chambers of the Board of Supervisors - City Hall

PUBLIC HEARING ON PROPOSED MARKET STREET SIGN ORDINANCE

President Kearney called the meeting to order and then requested Allan B. Jacobs, Director of Planning, to make an introductory statement concerning the Market Street Sign Proposals. The Director's comments were as follows:

"Scheduled for hearing by the Planning Commission today is a proposed ordinance to amend the City Planning Code by creating a special sign district for Market Street.

"Last fall the Board of Supervisors asked the Department to give immediate attention to this question, and it imposed a moratorium on new signs that will last until May 10 of this year.

"The Board was responding in part to the interest among the public developed by the construction of three new billboards at critical locations along the street. The publicity created by the sign control effort has shown considerable public sentiment in favor of reasonable standards for all signs, recognizing that a special district for Market Street is justified by the unusual circumstance of city-wide financing for improvements to rebuild the street area and raise its quality to a level unequalled elsewhere in the city.



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"Our staff met for a ten-week period with representatives of eight organizations composed of Market Street and downtown interests, and with the advice of those representatives a balanced set of standards was developed. A committee of the Commission was consulted with as well. Two weeks ago a written report was given to the Commission, and it was mailed to all owners of record within the proposed sign district together with the notice of today's hearing. Owners within 300 feet outside the district have also been notified.

"This is not a tough ordinance, in the sense of the type of ordinance often used for a special commercial area in a major city. It concentrates on a few main points. It does not deal elaborately with the content of signs, with their size or number, or with illumination. The main emphasis is on projection over sidewalks, height above the street, and control of billboards -- matters that have the greatest impact and the greatest potential for interference with development of the street area.

"This ordinance by itself will not guarantee that only signs of high quality will be put up in the future. What it does do is provide a framework within which private efforts, whether individual or through organizations, can achieve high quality with the assurance that everyone is operating under the same rules.

"In order that we may have a new Market Street three years from now, in the early part of 1973, it is essential that a sign ordinance be passed now and that its key provisions be made retroactive within that period of time. This is not the kind of transition that can be made gradually over a long term; either the whole street is improved rapidly, or parts of it are not likely to be improved at all. San Francisco will never again have this kind of opportunity."

Peter Svirsky, Planner IV, described the sign proposals in greater detail during the course of a photographic slide presentation. The text of the draft ordinance entitled "Proposed Ordinance Text for Market Street Special Sign District" and an accompanying report entitled "Report on Proposed Sign Regulations for Market Street" are available in the files of the Department of City Planning.

Bernard Averbuch, Executive Director of the Market Street Development Project and a member of the Market Street Sign Ordinance advisory group, stated that the Board of Directors of the Market Street Development Project had instructed him to state that they were in favor of the ordinance as proposed and to express their appreciation of the fact that business people had been involved in the creation of the proposed ordinance instead of being presented with a fait accompli by



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the staff of the Department of City Planning. He stated that the businessmen on Market Street are in favor of anything which can be done to improve the quality of Market Street; and most of the businessmen had agreed that the proposed ordinance would work positively to improve the street. He indicated that he had telephoned representatives of the Bank of America, the Pacific Gas and Electric Company, the Standard Oil Company, the Emporium, and Roos Atkins; and, although the proposed ordinance would pose some problems for some of those firms, all had agreed that the ordinance should be adopted. He expected that there would be some opposition to the proposed ordinance; however, because the business community had been allowed to participate in the creation of the ordinance, he believed that opposition would not be so violent as in the case of previous ordinances. He commended the work which had been done on the ordinance by the staff of the Department of City Planning; remarking particularly on the work done by Peter Svirsky; and he also felt that a great deal of credit should be given to Donald Canter of the San Francisco Examiner for his role in publicizing the need for a sign ordinance for Market Street. In conclusion, he urged that the proposed sign ordinance be adopted as recommended by the staff of the Department of City Planning.

James Hobbs, representing the San Francisco Planning and Urban Renewal Association, remarked that SPUR had supported the City-wide sign ordinance in 1965 and that it had been active for a long period of time in various ways with the improvement of Market Street. He regarded the proposed sign ordinance as only one part of the overall effort to beautify the street; but he acknowledged it as a very important part of the effort since ugly signs are like "blemishes on the face of a beautiful woman." He emphasized that the proposed ordinance would not be unduly restrictive and would allow wide descretion in matters of design; however, the ordinance would remedy the problems of projection and lack of integration in height, the two factors which are the basic causes of ugliness. With regard to billboards, SPUR felt that the provisions of the proposed ordinance were fair and equitable insofar as the ordinance would bring the billboards into proper focus by prohibiting their construction within 300 feet of Market Street. As a result, the size of the billboards would not become an overpowering factor which would damage the quality of the street; yet, it would still be possible for the billboards to be placed so that they would be effective. Mr. Hobbs also commended Mr. Svirsky and the staff of the Department of City Planning for their work on the proposed ordinance and expressed his hope that the ordinance would be adopted by the Commission.

Brigadier General James W. Coutts, representing the Retail Dry Goods Association, stated that he had little to add to the comments which had been made by the two previous speakers. He did, however, wish to compliment the staff on the quality and fairness of the proposed ordinance. He stated that he personally had favored a more restrictive ordinance; yet, he believed that adoption of the ordinance as proposed would help those who are making an effort to improve the quality of Market Street. He stated that Roos/Atkins would probably have a problem with regard to the projection of its canopy; nevertheless, that firm and most of the retailers on Market Street were supporting adoption of the ordinance as a necessary step in harmony with the great plans which are in progress for the rehabilitation of Market Street.



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Edward Lawson, representing the Chamber of Commerce, stated that his organization was generally in favor of the proposed ordinance with certain exceptions. One of the members of the Chamber had raised an objection regarding the provisions of the proposed ordinance governing the use of paper signs on windows; however, since he had later found that he was able to operate under more restrictive privately composed standards in a suburban shopping area, that objection seemed to have been resolved. With regard to general advertising signs, the Chamber continued to feel that they should be removed from Market Street; however, while the staff of the Department of City Planning had recommended an amortization period of three years, the Chamber felt that an amortization period of five years would be more appropriate. Finally, while the ordinance as proposed would prohibit all general advertising signs within a 100-foot strip on either side of Market Street, the Chamber wished to recommend that the ordinance be revised to permit the construction of general advertising signs in the 100-foot strips if they were not intended to be viewed from Market Street.

Lloyd A. Pflueger, representing the Downtown Association, emphasized that the recommendations of the staff would not result in a "tough" ordinance; and he indicated that his organization had favored stricter provisions than those recommended by the Planning Department in certain instances. Yet, he did wish to make a few comments regarding certain features of the ordinance, which he felt should be modified. In the first instance, he remarked that there might be some properties located north or south of Market Street where objectionable signs which could be viewed from Market Street might be constructed; however, he doubted that many locations of that sort exist. Under the circumstances, while his organization continued to agree with the staff of the Department of City Planning that general advertising signs should be prohibited within a 100-foot strip on either side of Market Street, they did not agree with the restrictions being proposed on general advertising signs in an additional 200-foot strip on either side of the area to be known as the Market Street Special Sign District. Mr. Pflueger then advised the Commission that members of his organization felt that the proposed ordinance should not be designed to have an unduly discriminatory effect on any particular industry; and, in that regard, they felt that it was important that the ordinance should be modified as they had suggested so that the brunt of the ordinance would not have to be borne by the outdoor advertising industry.

Mr. Pflueger felt that the ordinance provision requiring the top and bottom edges of signs on a single building with multiple entrances to be kept uniform was directed toward a good purpose; however, he believed that the provision would encourage the construction of vertical signs which would be less attractive than flat signs. In any case, he felt that the height provisions of the ordinance should be made retroactive so that the City would not have to wait for natural attrition to take place. As indicated in one of the photographic slides shown during Mr. Svirsky's presentation, the Lincoln Building, which is owned by the City, has one of the most sign-cluttered facades along Market Street; and he inferred that the City should take early action to set an example for other property owners on the street by improving the appearance of that building. In conclusion, he stated that his organization felt that a voluntary committee should be established to review all applications for new signs on Market Street; and he indicated that members of his organization would be willing to serve on such a committee.



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Harry K. Wolff, Jr., representing the National Association of Theatre Owners for Northern California and the theatre owners on Market Street, stated that the people whom he represented were in favor of proposals which would result in the beautification of Market Street but that they were against proposals which would not be in the best interests of theatre operators. They did not wish to oppose the proposed Market Street Sign Ordinance; however, because of the effect which it would have on the theatres along the street, they felt that they could not endorse the ordinance. Mr. Wolff stated that theatre owners depend on reader board impact on pedestrians for their income. If the projection of theatre marquees would have to be reduced to six feet, it would be difficult to display the names of some of the new movies which have exceptionally long titles; furthermore, once the new street trees on Market Street have reached their full height of forty feet and their mature spread of ten feet, the visibility of the marquees would be almost nil. The cost of removing existing marquees would be high; and, since new marquees with a six-foot projection would not produce the necessary results, it would not be advisable for the theatre owners to construct new marquees. In an effort to overcome the problem, a letter had been addressed to the Transit Task Force which contained the following proposal:

"In the interest of the Market Street owners and operators we would propose a possible solution to you for your consideration. It is our proposal that there be provided for each theatre on Market Street, and solely for the theatre industry on Market Street, a kiosk-type sign. We realize that a kiosk-type sign might take many forms. We suggest the following type as being the one that might best serve the theatre industry on Market Street and still be in keeping with and add to be beautification program. The form we presently contemplate is a kiosk-type sign that would be somewhat in design like that which is presently proposed for "transit maps." In other words, we propose a two-sided, kiosk-type sign, the same to be located on the sidewalk in front of each theatre on Market Street; such signs to be of uniform design. Each side of the sign would be the same and would best give reader board visibility to the pedestrian traffic on Market Street. At the top of the sign we would propose a special symbol designating the presence of a theatre and alongside of the symbol the name of the theatre. Below this would be a reader board upon which the current attractions of the individual theatre would be displayed. We contemplate that such sign would be illuminated, and its estimated height would be approximately seven feet to eight feet, thus providing eye level viewing to the pedestrian traffic."

In conclusion, Mr. Wolff noted that Mr. Svirsky, during the course of his presentation, had stated that the staff of the Department of City Planning would be willing to endorse in principle the proposal of the Theatre Owners to have kiosk-type signs located in front of their buildings on Market Street.



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Commissioner Fleishhacker asked if the people whom Mr. Wolff represented would be prepared to support the proposed sign ordinance if they were allowed to have kiosk signs in front of their buildings. Mr. Wolff replied in the affirmative.

The Director stated that the staff of the Department of City Planning had been aware of the unique problem faced by the theatre owners; and he indicated that the staff would be willing to consider Mr. Wolff's proposal very positively. The staff had also consulted with the Transit Task Force and had been advised that both the Task Force and their Joint Venture Architects were prepared to explore the proposal in a positive way. However, while he felt that the problem would be solvable, he indicated that he was in no position to make a firm legal commitment to Mr. Wolff regarding the proposal since the final decision would have to be reached by other City agencies.

Commissioner Ritchie asked Mr. Wolff what his reaction would be if other property owners on Market Street such as the operator of a jewelry store, for instance, were to propose that they, also, should be permitted to have kiosk signs in front of their buildings. Mr. Wolff replied that stores which sell merchandise are different from theatres in that they can display their goods in the windows of their shops. Theatres, however, have nothing to sell except motion pictures; and if they are not able to get the titles of the motion pictures before the public in an effective way, the product will not sell.

Commissioner Porter asked if it would be desirable to have language in the proposed ordinance which would permit the construction of kiosk-type signs in front of theatres. The Director replied that the matter could not be handled by the proposed ordinance since any signs or other street furniture located in the public sidewalk area would have to be granted a revocable permit by the City. He noted that a consistent family of street furniture had been designed and approved for Market Street; and he felt that the kiosk structures proposed by Mr. Wolff could be designed by the City to harmonize with the remainder of the street furniture. The cost of installing the signs would have to be borne by private property owners following approval of a revocable permit by the City.

Commissioner Finn asked Mr. Wolff if he had any preferred location for the kiosk-type signs. Mr. Wolff replied that the placement of the street trees along Market Street would ultimately determine the location of the kiosks. If possible, he felt that the kiosks should be located in line with the center of the theatre's frontage; however, the most important factor would be to have the signs located at some point in front of the theatre. It seemed to him possible that the signs might be located between the pair of street trees which would be planted in front of the building; but no decision had yet been made in that regard.

Commissioner Porter asked if the kiosks would be used in lieu of marquees or if they would be used in conjunction with new marquees having a projection of only six feet. Mr. Wolff stated that it was his personal opinion that 90 percent of the theatre operators would not construct new marquees since they would not be readable. However, those theatres which now have marquees within the six-foot projection limit would probably keep them.



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Commissioner Mellon remarked that theatre kiosks would not be the only kiosks which would be located in the sidewalk area along Market Street since a number of kiosks have been proposed for general advertising.

Mrs. Hans Klussmann, 260 Green Street, representing San Francisco Beautiful, remarked that the proposed Market Street Sign Ordinance was being supported by individuals and organizations who had not previously agreed on most major issues; and, because of the wonderful spirit of cooperation, she believed that the goal of creating a beautiful Market Street would be achieved. In fact, she believed that even the people who would speak in opposition to the proposed ordinance do share the desire for creating a beautiful street and that they would continue to work towards that end after the ordinance has been adopted.

Mrs. Toby Bloxam, representing the Telegraph Hill Dwellers, stated that this this was the first time that she had felt like applauding the spokesman for the Downtown Association, especially insofar as he had remarked that the proposed ordinance was not a strong ordinance and that he had hoped that it would have had provisions for design review. She, also, felt that it would be desirable to establish standards for design review so that the visual pollution caused by some of the disgraceful signs along Market Street could be improved.

Robert H. Hersey, representing the Northern California Chapter of the American Institute of Architects, read a letter which had been addressed to the Commission by Karl E. Treffinger, president of his organization, as follows:

"The Northern California Chapter, American Institute of Architects, considers it mandatory that the strictest regulations be established for control of signs on Market Street to improve the environmental quality of San Francisco. The Executive Committee lends its wholehearted support to the proposed sign regulations for Market Street developed by the Department of City Planning."

Mr. Hersey stated in addition that it was his feeling that the proposed sign ordinance would establish only minimum standards and that it was essential that some sort of committee should be established to review the specific design of new signs proposed for the street.

Mrs. Helen Reynolds, representing the California Roadside Council, stated that her organization, being State-wide in scope, had enjoyed an opportunity to talk with planning departments in many other communities and counties. On the basis of those contacts, it seemed to her that the proposed sign ordinance, while not by any means extremely restrictive, had been very wisely worked out so that it would do a great deal for the improvement of Market Street. She hoped that it would be adopted as proposed without any radical changes. While other speakers had suggested that the provisions applying to general advertising signs located within two hundred feet of the Market Street Sign District should be deleted from the proposed ordinance, she felt that control of signs located in that area would be of great importance if



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the visual standards of Market Street as seen by pedestrians are to be maintained at a high level. In conclusion, she congratulated all of the people who had been involved in the preparation of the draft of the proposed ordinance including private organizations and property owners.

Mrs. James Wiley, member of San Francisco Beautiful and the California Roadside Council felt that everything important had already been said in support of the proposed ordinance except a strong statement urging the Commission to adopt the ordinance as proposed without any modifications which might have the effect of weakening it.

Elmer Johnson, representing the Building Owners and Managers Association, advised the Commission that he represented the office building industry in San Francisco. He stated that many of the people whom he represented would be affected by the proposed ordinance; however, they were in favor of anything of that type which could be done to improve the appearance of Market Street. He stated that he had personally tried to contact most of the members of his organization who would be affected by the legislation and had found that most of those he talked with were aware of the proposals of the staff of the Department of City Planning and that none of them were violently opposed to the proposed ordinance. He indicated, however, that he did feel some people might be unnecessarily affected by the provision of the proposed ordinance governing general advertising signs within a 200-foot strip on either side of the sign ordinance district. Yet, since he had no statistical data regarding the possible effect of that provision, he wished to defer comment on that aspect of the ordinance pending a decision as to whether a problem might exist.

Brian McCarty, representing Advan, Inc., yielded the floor to Dean Jacobs, representative of Foster and Kleiser.

Mr. Jacobs stated that he had hoped to surprise the Commission by supporting the proposed sign ordinance as a necessary step towards the beautification of Market Street. Unfortunately, however, Foster and Kleiser had not been included in the advisory group and not even been advised that the meetings of the group were being held. In fact, his firm had been advised of the meetings only two weeks ago when the draft ordinance had already been completed. Yet, he believed that his firm would be more affected by the proposed ordinance than any other since it would stand to lose an annual revenue of \$65,000 plus assets valued at more than \$200,000. Furthermore, if the ordinance were adopted as proposed, the same property owners who would have to pay for the beautification of Market Street would face a loss of rental income because of the removal of billboards from their buildings.

Mr. Jacobs advised the Commission that there are at present 250 less billboards in San Francisco than there were at the time of the passage of the City-wide Sign Ordinance in 1965. He also mentioned that the Civic Center and residential billboards which had been mentioned in a recent newspaper article by Mr. Canter represent 10 percent of all of the billboards in San Francisco and involve an annual revenue of \$250,000 as well as assets of approximately \$300,000. He stated that he had mentioned those facts to emphasize further the impact which adoption of the ordinance under consideration would have on his firm. He noted



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that all of the signs along Market Street, except for general advertising signs or billboards, could be altered to conform to the provisions of the proposed ordinance; yet, billboards, which have been well-maintained and which are legally in place, would be required to come down within three years without any compensatory payment from the City.

Mr. Jacobs agreed that the proposed ordinance is not as strong as it might be in terms of meeting the overall objective of improving Market Street; however, the proposed ordinance would be extremely inequitable in its impact on the outdoor advertising industry. He noted that Senator Muskie, commenting on Federal billboard legislation, had gone on record with a statement to the effect that when an individual suffers a loss for the public interest the public interest also requires that compensation be made for the loss and that property rights previously developed must be maintained. In addition to the fact that the proposed ordinance would not provide compensation for the billboards which would have to be removed, it would also discriminate against the billboard industry by regulating construction of billboards within a 200-wide foot strip on either side of the special sign ordinance district in which other types of signs would not be subject to controls.

Mr. Jacobs remarked that the voters had supported the plans for the improvement of Market Street by approving a bond issue; and both Foster and Kleiser and Ad Van had agreed with the voters regarding the need for improving the street. Yet, while the property owners along the street were only being requested politely to improve their properties, the billboard industry would be required to "donate" \$200,000 in assets plus \$60,000 worth of annual income for improvement of the street if the proposed sign ordinance were to be adopted. In his opinion, the price would be too great for one industry to bear. The net effect of the proposed ordinance would be like requiring some stores to be torn down while allowing other identical stores to be renovated.

Mr. Jacobs believed that in fact billboards would have little or no effect on the visual beauty of Market Street as evidenced by the fact that very few billboards had been apparent in the slides which had been presented by Mr. Svirsky. Nevertheless, his firm did expect to cooperate with other businessmen in an effort to improve the appearance of Market Street; but they did not wish to carry the entire burden for the project by themselves. Under the circumstances, it seemed to him that a proper solution for the problem would be to establish an amortization period for billboards which would recognize the losses being faced by the billboard industry and which would allow them to remove the billboards on a piecemeal basis as beautification of the street proceeds. His firm would be willing to proceed with removal of its billboard structures within a ninety-day period after renovation of any block along Market Street has been 75 percent completed. The decision regarding 75 percent completion could be reached by a committee similar in composition to the Advisory Committee which had worked on the draft of the proposed ordinance.

Concluding his remarks, Mr. Jacobs repeated his argument that the provisions of the proposed ordinance governing the use of billboards in three hundred-foot wide strips on either side of Market Street would be unreasonable because



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such controls would bear no relation to the beautification of the street except in the area of parks or plazas and unless the billboards in those areas were to be designed primarily to be viewed by pedestrians or motorists on Market Street. He then distributed and commented upon the following changes which his firm was recommending be made in the draft of the proposed sign ordinance. Those changes were as follows:

"Page 3

Staff Recommendation

(b) General advertising signs. Except as specified in paragraph 608.8(f)2 below:

1. No general advertising sign shall be permitted at any location within said special sign district; and
2. No general advertising sign shall be located within 200 feet of said special sign district, if any portion of a face of such sign would be visible from any point on a street, alley or plaza within the special sign district.

Suggested Changes

1. No general advertising sign shall be permitted within the special sign district if so located that the sign is primarily to be viewed by persons travelling on Market Street.
2. No general advertising sign shall be located within 200 feet of said special sign district, if the face of such sign would be readable from any park or plaza within the special sign district.

"Page 6

SEC. 609.10. On and Near Market Street from The Embarcadero to the Central Skyway Overpass.  
(Amortization Periods)

- (a) General advertising signs. Any lawfully existing general advertising sign within the Market Street Special Sign District, other than such a sign located on a wall immediately adjacent to the establishment to which it directs attention, shall be removed within 3 years after the effective date of said special sign district or such later date as the location of such sign may be designated as part of said special sign district.

Suggested Changes

- (a) General advertising signs. Any lawfully existing general advertising sign within the Market Street Special Sign District and located so that such sign is primarily to be viewed by persons travelling on Market Street or within 200 feet of said district



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if the face of such sign would be readable from any park or plaza within the special sign district, other than such a sign located on a wall immediately adjacent to the establishment to which it directs attention, shall be removed within 90 days after determination by an appointed sign committee that 75% of the beautification in a given block (including both sides of the street) of buildings, business signs and landscaping in any such block has been completed. Said Committee to be known as the Market Street Sign Committee and appointed by the Mayor and given the total power to determine the completion of the project in each block in conformance with the Market Street beautification plan. Committee to be composed of one member each from the San Francisco Planning Staff, San Francisco Chamber of Commerce, Downtown Association, SPUR and the Outdoor Advertising Industry."

Commissioner Fleishhacker remarked that the annual loss of income anticipated by Foster and Kleiser had been quoted once at \$65,000 and later at \$60,000. He asked which figure was correct. Mr. Jacobs replied that the revenue loss would be \$65,000 and that the loss of assets would be \$200,000.

Commissioner Fleishhacker asked if the \$65,000 figure would represent net revenue. Mr. Jacobs replied in the negative and indicated that the net loss would be approximately 25 percent of the \$65,000 figure.

Commissioner Fleishhacker then asked if the \$200,000 loss in assets was based on the original value of the billboard structures or on their current value. Mr. Jacobs replied that neither the initial cost nor the age of a billboard structure bear any relation to its value as an advertiser. The billboard which had recently been constructed at Fifth and Market Streets at a cost of \$16,000 would sell for the same price as a \$6,000 billboard in another location.

Commissioner Fleishhacker, noting that Mr. Jacobs had remarked that property owners on Market Street would suffer loss of revenue if billboards were removed from their property, asked about the annual amount of that loss. Mr. Jacobs stated that he did not have accurate figures with which to answer that question; however, he estimated that the annual loss to property owners would be approximately \$50,000.

Commissioner Fleishhacker commented on the fact that the property owners who had spoken in favor of the proposed ordinance had not expressed any concern about the loss of revenue which they would suffer as a result of billboards being removed from their property; and, under the circumstances, he wondered if Mr. Jacobs were not unnecessarily concerned about that issue. In any case, if Foster and Kleiser were to pay the owners \$50,000 out of their gross revenues of \$65,000, he did not understand how Foster and Kleiser's net revenue could amount to 25 percent of their gross revenue.



Mr. Jacobs repeated that he did not have accurate figures in front of him regarding the annual rent paid to property owners on Market Street. However, since painted signs are rented for \$150 per month and since poster-type billboards are rented for \$45 to \$50 per month, he estimated that the average monthly rent paid for billboards along Market Street would be approximately \$2,500.

Brian McCarty, representing Ad Van, Inc., supported Mr. Jacobs in his request for revision of the draft of the sign ordinance under consideration. He stated that all of the billboards along Market Street had been installed legally; and, under the circumstances, the arbitrary three-year period established by the proposed ordinance for amortization of those billboards seemed to him to be unfair. The proposed ordinance appeared to be singling out the outdoor advertising industry to bear the brunt of the responsibility for improving the quality of Market Street, and that seemed most inequitable because the outdoor advertising industry is not one of the major contributors to the problems of the street. Mr. McCarty also pointed out that the outdoor advertising industry would be further penalized by forced removal of the billboards along Market Street since no equivalent area exists in the City where new billboards might be constructed. In conclusion, he stated that his firm, like Foster and Kleiser, would be willing to remove its billboards when other businessmen along Market Street have demonstrated their good intentions by moving forward with positive improvements; and, therefore, his firm supported the recommendations which Mr. Jacobs had made for modification of the proposed ordinance to specify that billboards should be removed within ninety days after determination by an appointed sign committee that 75 percent of the beautification in a given block of Market Street has been completed.

Commissioner Newman asked how many billboards owned by Ad Van would have to be removed if the ordinance were adopted in the form recommended by the staff of the Department of City Planning. Mr. McCarty replied that his firm would be required to remove fourteen poster panels, three rotating painted bulletin boards, and one permanent painted bulletin board.

Mrs. Andrew Gallagher stated that she was very much in favor of the proposed ordinance but that she was quite concerned about certain provisions of the ordinance which would inflict undue penalties on the outdoor advertising industry. She stated that Foster and Kleiser had been in business in San Francisco for a long time and had contributed a great deal to the improvement of the City's economy. Under the circumstances, she hoped that the Commission would give favorable consideration to the modifications which had been recommended by Mr. Jacobs.

Thomas L. Scholten, 133 McCoppin Street, asked if he could expect to receive the same favorable treatment as the theatres with regard to having a kiosk sign in front of his property. The Director replied that each request for installation of kiosk signs would be reviewed individually by the Transit Task Force and by the Board of Supervisors.

Mr. Scholten stated that he owns four or five pieces of property which would be affected by the proposed ordinance; and he believed that he would suffer a hardship if the ordinance were adopted as proposed. In his opinion, San Francisco needs more bright lights and excitement. Furthermore, marquees and awnings such as



those on the Orpheum Theatre or the Emporium serve a purpose by protecting people from the rain. At the last meeting of the City Planning Commission, the Commission had granted extra height on the waterfront to one individual and had restricted height for all other potential developments. In his case, also, the Commission had consistently adopted legislation which imposed new restrictions on his property such as height limits, coverage limitations and, in the present instance, sign restrictions; but the Commission had never given him any concessions. In effect, he felt that the Commission was taking away property rights without compensation. He stated that his property had had a great deal of potential value in terms of signs until the City-wide ordinance was passed prohibiting the construction of new signs near freeways; and the possibility of constructing signs on his property would be further limited if the proposed ordinance were adopted. He stated that he was particularly concerned about the provisions of the proposed ordinance which would control the construction of billboards in 200-foot wide strips on either side of the proposed special sign district since his properties are located in that area. Aside from that feature of the ordinance, he felt that the ordinance did have a great deal of merit. Therefore, he requested that the Commission modify the proposed ordinance by deleting the provisions pertaining to properties within the 200-foot wide strips on either side of the special sign district or, alternatively, that the Commission modify the proposed ordinance to affect only properties located east of the Central Freeway.

H. Harvey Scholten, 314 Surrey Street, agreed that a sign ordinance for Market Street was necessary. However, he joined with other speakers in opposing the provisions which would extend the control of the ordinance over 300-foot wide strips on either side of Market Street itself. He pointed out that people walking on Market Street would be looking up and down the street and not 300 feet to either side of the street; and, since he owns property within 300 feet of Market Street which would be affected by the ordinance as opposed, he hoped that the Commission would modify the scope of the ordinance before taking final action on it.

The Director, commenting upon remarks made by various speakers, stated that the staff of the Department of City Planning had considered the five-year amortization period for billboards suggested by Mr. Lawson but had finally decided on the three-year period both because of the schedule for reconstruction of Market Street and because the legality of a three-year amortization period had already been established. Mr. Pflueger and others had objected to the provisions of the ordinance which would control construction of billboards in 200-foot wide strips on either side of the special sign district, but he wished to point out that those provisions would apply only to new billboards and not retroactively to existing billboards. Furthermore, billboards which would not face Market Street could be constructed in those 200-foot-wide corridors. Mr. Pflueger had also suggested that the provisions of the ordinance relating to a requirement that the top and bottom edges of flat signs be kept uniform where a series of shops occupy spaces along the frontage of a single building should be made retroactive; but the staff of the Department of City Planning continued to be of the opinion that such retroactivity would be too strict. The Director agreed with Mr. Pflueger that design review of new signs proposed for Market Street would be desirable; but he felt that everyone should be realistic about the possibility of achieving such control.



Under the circumstances, he had thought it advisable to direct the provisions of the proposed sign ordinance toward areas which would have the most important effect on the improvement of Market Street; and, because the greatest impact is made by billboards, the ordinance had been designed to give primary attention to that problem. If property owners or private associations wish to establish procedures for design review of new signs, the staff of the Department of City Planning would be willing to give them every encouragement.

With regard to the comments made by Mr. Jacobs and Mr. McCarty, the Director stated that he found it hard to believe that they had not known of the meetings of the Citizens Advisory Committee since they had been aware of the request of the Board of Supervisors that a draft be prepared for a Market Street Sign Ordinance. In fact, he had received a telephone call more than two weeks ago from a lady who had stated that representatives of the outdoor advertising industry wished to talk with him concerning the sign ordinance; and, although he had stated that he would be available for such a meeting, he had heard nothing further on the matter. The Director emphasized that the advisory group for the Market Street Sign Ordinance had consisted of representatives of a number of organizations to which the members of the billboard industry belong; and, as a result, the interests of the industry should have been represented by those organizations. In any case, further hearings would be held before the Board of Supervisors before final action is taken on the ordinance; and the representatives of the billboard industry would have further opportunity to express their objections to the ordinance at that point. With regard to the matter of compensation for billboards which are removed, the Director acknowledged that the Federal Government has been willing to provide compensation. He emphasized, however, that the City Attorney had advised the staff of the Department of City Planning that the three-year amortization period which was being recommended in the proposed ordinance would be perfectly legal. In view of the comments which had been made by Mr. Jacobs and Mr. McCarty regarding the provisions of the ordinance which would apply to properties located within a 200-foot strip on either side of the special sign district, the Director repeated that construction of new billboards would be prohibited in those corridors only if the new signs would face Market Street. He noted that the voters of San Francisco had voted favorably on a bond issue for the improvement of Market Street; and, under the circumstances, he could not imagine that they would have favored a sign ordinance for the street which would have been any less restrictive than the ordinance which was being recommended by the staff of the Department of City Planning.

The Director then commented upon the specific changes which had been recommended by Mr. Jacobs. The first change would provide that general advertising signs would be permitted within the special sign district if they were located so that they would not be viewed primarily by persons travelling on Market Street. However, since the signs would obviously be seen by people travelling across Market Street, the net effect of the revision would be that diagonal signs adjacent to Market Street would be allowed to remain forever. In that regard, he noted that it was the construction of a diagonal sign at Fifth and Market which had fostered the development of the proposed sign ordinance; and he felt that it would be ironic if the ordinance should allow that type of sign to remain permanently.



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The second change recommended by Mr. Jacobs would have the effect of prohibiting construction of general advertising signs within 200 feet of the special sign district only if the face of such signs would be readable from any park or plaza within the special sign district. He wondered how the phrase "any park or plaza" would be interpreted...would it include private parks and plazas? The third change suggested by Mr. Jacobs would have the effect of providing that billboards along Market Street would not be removed until ninety days after determination by an appointed sign committee that "75 percent of the beautification in a given block (including both sides of the street) of buildings, business signs, and landscaping in any such block had been completed." However, if the blocks did not coincide on both sides of the street as in generally the case along Market Street, how would it be possible to agree on whether 75 percent of the block had been improved? Furthermore, the 75 percent of the block which would have to be beautified would include privately-owned buildings, business signs and landscaping in addition to the actual reconstruction of the right-of-way of the street; and he emphasized that the City has no power to force private property owners to renovate their properties. Under the circumstances, the language proposed by Mr. Jacobs would in effect be unworkable; and the goals which everyone hoped to achieve would be postponed forever.

While it had been contended that the proposed ordinance would be arbitrary and discriminatory with regard to the billboard industry, the Director pointed out that businessmen other than the billboard industry would be required to remove signs along Market Street. Furthermore, while it had been suggested that billboards which are not noticeable should be allowed to remain, he noted that billboards are erected to be noticeable and are therefore placed in the most prominent locations. With regard to Mr. Scholten's objection that the proposed ordinance would result in the removal of bright lights and canopies, the Director stated that the ordinance would not take away any bright lights and that it would allow marquees to be constructed. In conclusion, the Director stated that the power of the zoning is concerned with health, safety, and the public welfare; and everything proposed in the draft ordinance had been held to meet those basic objectives. Under the circumstances, he recommended that the proposed ordinance be adopted as recommended by the staff of the Department of City Planning.

Commissioner Porter stated that she regretted that the billboard industry had not enjoyed a better opportunity to work with the advisory group and the staff of the Department of City Planning in preparation of the proposed ordinance; and she wondered if the Director felt that anything would be achieved by postponing action on the proposed ordinance to enable the staff of the Department of City Planning to meet with the representatives of the billboard industry. The Director replied that he did not feel that the amendments to the ordinance which had been proposed by the billboard industry would be acceptable, and he doubted that any useful purpose would be served in delaying action on the proposed ordinance.

After further discussion it was moved by Commissioner Ritchie and seconded by Commissioner Mellon that the text of the proposed sign ordinance for Market Street be approved as recommended by the staff of the Department of City Planning.



Dean Jacobs stated that there could be no comparison of the value of general advertising and business signs; and, in any case, he noted that the proposed ordinance would allow the replacement of any business signs which would have to be removed. He stated that the principle of compensation for the taking of property is basic to the American heritage; and, since only the billboard industry would be forced to remove signs which it could not replace and for which it would not be compensated, he felt that the ordinance would be discriminatory. While the Director had been of the opinion that the alternate language establishing a committee to direct the removal of billboards along Market Street after the beautification in a given block had been 75 percent completed would be unworkable, Mr. Jacobs stated that the committee which had been proposed would be essentially identical to the committee which had drafted the proposed ordinance except that representatives of the billboard industry would also be included on the committee. The alternate language which would specify that no general advertising sign would be located within two hundred feet of the special sign district if the face of the sign would be readable from any park or plaza within the special sign district had been taken directly from the City-wide Sign Ordinance which had been adopted in 1965. Mr. Jacobs re-emphasized the fact that his firm wished to participate in the beautification of Market Street; but they did not wish to carry the burden alone. Reconstruction of the street alone would not beautify Market Street unless the privately-owned buildings were to be improved, also; and, unless the owners of those buildings were willing to demonstrate their good intentions by improving at least 75 percent of their properties, he did not think that it would be fair to require removal of existing billboards.

Commissioner Fleishhacker agreed with the Director of Planning that the billboard industry's proposal to remove its signs on Market Street after a committee had determined that 75 percent of the beautification in a given block had been completed would be unworkable. In fact, he believed that the billboard industry was merely asking for additional time; and he wondered how much time they felt would be gained if their proposal were adopted.

Mr. Jacobs replied that it would be difficult to estimate the amount of time which would be required before the entire length of Market Street will be beautified. At the present time, certain portions of the street such as in the vicinity of the Standard Oil and Crown-Zellerbach Buildings already have a high degree of quality; other portions of the street, however, are totally different in nature. He again emphasized that his firm wished to participate in the beautification of Market Street; but they did not wish to be in the position of having to take down their signs and then find that the street would look the same in ten years.

Commissioner Fleishhacker remarked that the surface and sidewalks of Market Street would most assuredly be improved in the near future. However, the billboard industry appeared to wish for an overall change of environment of Market Street before it would be willing to remove its billboards; and he wondered how long it might take for such a change to occur.



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Mr. Jacobs stated that the change would not occur until the owners of the building and the merchants on Market Street are willing to make the same type of financial sacrifices which were being expected of the billboard industry.

Commissioner Ritchie asked the Director if some of the billboards scheduled for removal under the City-wide Sign Ordinance adopted in 1965 are still in place. The Director replied in the affirmative indicating that 29 billboards located in residential districts have been illegal for a long period of time without regard to the 1965 ordinance; in addition, ten billboards in the Civic Center area have been illegal since 1966.

Commissioner Ritchie stated that the three-year amortization period proposed in the draft ordinance presently under consideration seemed equitable to him.

Mr. Jacobs stated that he had already gone on public record regarding the reasons for the failure of his firm to remove the billboards in question; and he felt that it would not be fair to pursue the matter any further. However, many of the "so-called" illegal billboards in residential districts had been constructed in the early 1900's; and, since a rival billboard company had not removed its billboards in residential districts, the City Attorney had not forced Foster and Kleiser to remove its billboards in similar locations. In any case, his firm did not believe that billboards should be constructed in residential districts. The sign ordinance presently under consideration, however, would not affect signs in residential districts but would require the removal without compensation of billboards which were legally constructed on private property. He felt that the proposed ordinance was a masterpiece of compromise insofar as it would grant almost every concession possible to the business community; yet, at the same time, it placed the entire burden of responsibility on the billboard industry. In conclusion, Mr. Jacobs stated that he believed that the three-year amortization period called for in the proposed ordinance to be illegal or, at the very least, unethical.

Commissioner Porter stated that she was not enchanted with the proposed ordinance; and, in view of the large number of other unattractive features on the street which were being disregarded, she felt that the best that could be hoped for would be that the growth of the new street trees would be encouraged so that they would hide some of the ugliness of the street. However, the proposed sign ordinance would be a first step towards an overall effort for beautification of the street; and, for that reason, she intended to support it with her vote.

When the question was called on Commissioner Ritchie's motion, the Commission voted unanimously to adopt Resolution No. 6479 approving the text amendments of the City Planning Code as proposed in the draft of the Market Street Sign Ordinance which had been prepared by the staff of the Department of City Planning.



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Subsequently, it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6480 be adopted approving the amendments to the Zoning Map of the City and County of San Francisco to establish a Market Street Special Sign District.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary

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SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, February 5, 1970.

The City Planning Commission met pursuant to notice on Thursday, February 5, 1970, at 2:15 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert Passmore, Assistant Zoning Administrator; Samuel Jung, Planner IV; Daniel Sullivan, Planner III; Patricia Sheehan, Planner II; Fritz Mock, Planner II; and Lynn E. Pio, Secretary.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the minutes of the meetings of January 9 and 15, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reminded members of the Ad Hoc South Bayshore Committee (Commissioners Fleishhacker, Kearney, Porter) of a meeting scheduled next Wednesday morning, February 11, at 10:00 a.m.

The Director advised the Commission that next Thursday's Regular Meeting will be canceled because of Lincoln's Birthday.

The Director distributed copies of a report which had been prepared on the South Bayshore Plan and which contains an evaluation of the comments raised at public hearings and a proposed Master Plan Amendment for the South Bayshore District.

THE UNIVERSITY OF CHICAGO

THE DIVISION OF THE PHYSICAL SCIENCES

THE DEPARTMENT OF CHEMISTRY

THE LABORATORY OF ORGANIC CHEMISTRY

THE LABORATORY OF PHYSICAL CHEMISTRY

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THE LABORATORY OF BOTANY

THE LABORATORY OF ZOOLOGY

THE LABORATORY OF AGRICULTURE

THE LABORATORY OF FORESTRY

THE LABORATORY OF MINING

THE LABORATORY OF METALLURGY

THE LABORATORY OF CERAMICS

THE LABORATORY OF TEXTILES

THE LABORATORY OF LEATHERS

THE LABORATORY OF PAPER

THE LABORATORY OF GLASS

THE LABORATORY OF CERAMICS

THE LABORATORY OF METALLURGY

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2/5/70

R70.2 Turnkey Housing at 105 Lundy's Lane.

(Under advisement from meetings of January 22  
and 29, 1970)

R. Spencer Steele, Assistant Director-Implementation, noted that the subject application had been taken under advisement from the meeting of January 22 to allow for further discussion between the Housing Authority and residents of the subject neighborhood. He stated that a representative of the Housing Authority was present in the audience to report on modifications which had been made in the proposal.

Mr. Evert Heynneman, representing the Housing Authority, stated that the basic objections of residents of the subject neighborhood had been related to the density, bulk, and open parking of the housing project which had originally been proposed for the subject site. In order to meet those objections, changes had been made in the plans for the project; and residents of the subject neighborhood had indicated their approval of the revised plans.

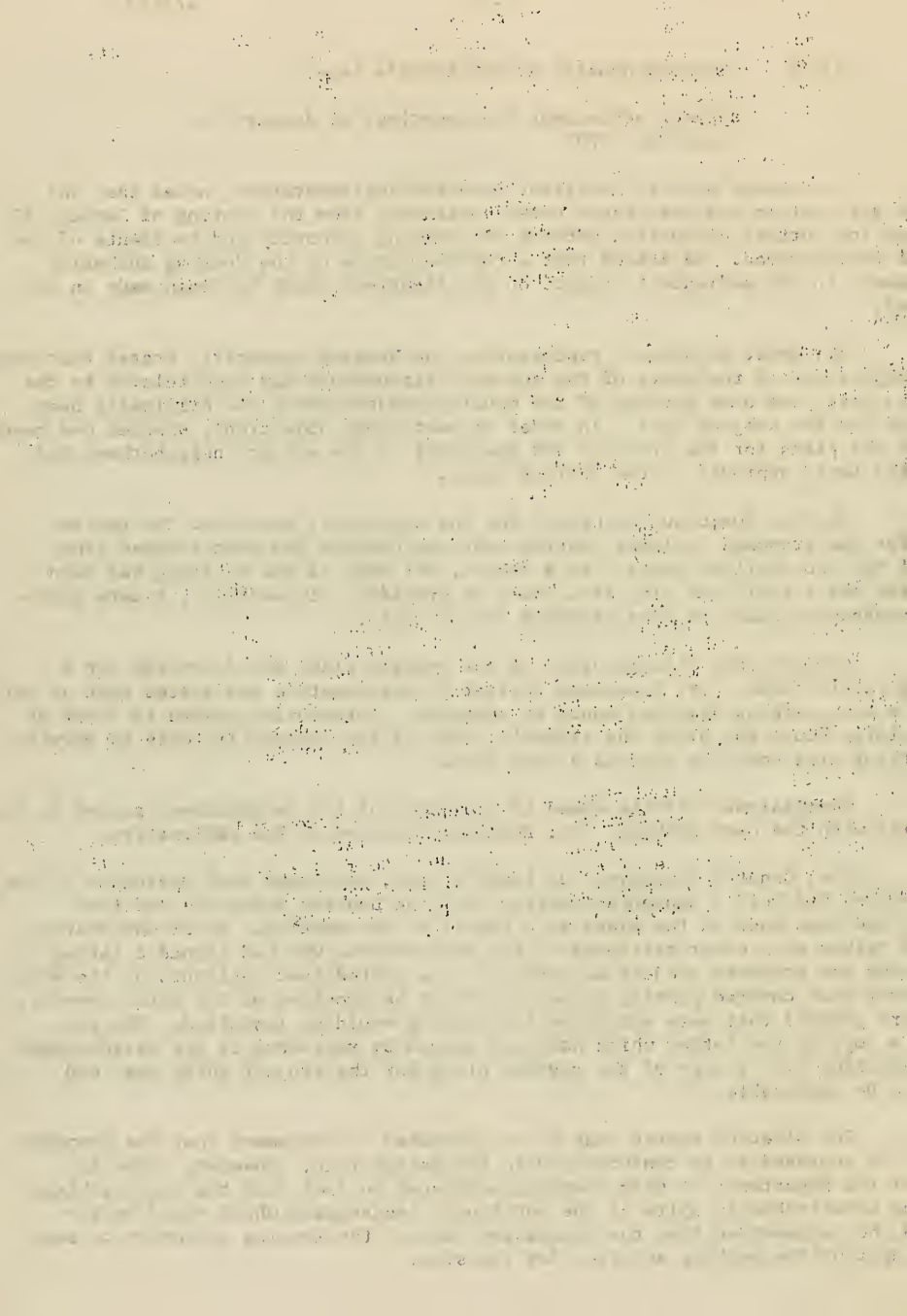
Charles Rosenbaum architect for the applicant, described the revised plans for the proposed building, noting that one bedroom had been removed from each of the two dwelling units. As a result, the bulk of the building had been decreased and a roof deck play area would be provided. In addition, a more extensive landscaping plan had been prepared for the site.

Commissioner Ritchie asked if the revised plans would provide for a covered parking area. Mr. Rosenbaum replied in the negative and stated that he felt that the open parking proposed would be adequate. Automobiles parked in front of the building would not block the sidewalk; and, if the automobiles were in service, the parking area could be used as a play area.

Commissioner Ritchie asked if residents of the neighborhood seemed to be satisfied with the open parking. Mr. Rosenbaum replied in the affirmative.

Mrs. Genette Sonnesyn, 104 Lundy's Lane, confirmed that residents of the neighborhood had held a congenial meeting with the Housing Authority and that changes had been made in the plans as a result of the meeting. After the meeting, she had talked with other residents of the neighborhood who had signed a letter supporting the proposed project as revised. She stated that residents of the area were sorry that covered parking spaces would not be provided on the site; however, they were pleased that more extensive landscaping would be installed. She submitted a copy of the letter which had been signed by residents of the neighborhood in conjunction with a copy of the revised plans for the project which they had found to be acceptable.

The Director stated that he was prepared to recommend that the proposed project be approved as in conformity with the Master Plan. However, since the staff of the Department of City Planning continued to feel that the open parking would be undesirable in spite of the additional landscaping which would be installed, he recommended that the Commission request the Housing Authority to seek a more appropriate parking solution for the site.



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Commissioner Fleishhacker felt that it was likely that any parking structure built on the site would be used for storage instead of for automobiles. The Director disagreed and remarked that the logical extension of that type of argument would be to exempt all housing in the City from parking requirements. Already, the street facade of San Francisco is most unattractive with a great many curb cuts and on-street parking of automobiles; and removal of present parking requirements would only make the situation worse.

Commissioner Mellon remarked that it might be difficult to design an attractive parking structure for the subject site without damaging the quality of the remainder of the building.

After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Mellon, and carried unanimously that the Director be authorized to submit the following report on the subject proposal:

"The development of Lot 1 in Assessor's Block 5616 with two-family dwellings with three bedrooms each for low-income families is in conformity with the Master Plan.

However, the Commission requested the Housing Authority to seek a more appropriate parking solution for the Lundy's Lane site that will better screen the off-street parking from the street and adjacent facing dwellings. The proposed open parking is undesirable because of the visual effect it will have on adjacent and facing dwellings in that block; it will tend to point out this dwelling as being different from others in this neighborhood; and it may set a precedent that will encourage future Turnkey developers to propose use of front setbacks for open parking and even more inappropriate ways and locations."

R70.3      Masonic Avenue, Geary Boulevard to Page Street:  
             Supplemental appropriation for landscaping.

R. Spencer Steele, Assistant Director-Implementation, reported on this matter as follows:

"The sidewalk narrowing project on Masonic Avenue between Geary Boulevard and Page Street will go out to bid in April. The project was last reviewed by the City Planning Commission in the 1963-64 Capital Improvement Program.

Generally, this section of Masonic Avenue has a 100-foot right-of-way, including 22-foot sidewalks, two parking lanes and four traffic lanes. Objections from the public and property owners have delayed the project for years, and as it is now going forward, the widening will only take place at each end leaving the street as it is between Grove Street and Ewing Terrace. Between Oak and Page Streets the sidewalks will be tapered; in the Panhandle, between



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Oak and Fell, 9 feet will be taken off each side; between Fell and Hayes, 9 feet will be taken off the east side and 12 feet off the west side; between Hayes and Grove, 12 feet will come off the west side. Between Ewing Terrace and Anza Street, the east side will be tapered by 10 feet and the west side by 7 feet; between Anza and Geary about 6 feet will be taken off each side and about 15 feet will be taken off the east side of the large traffic island across the street from Sears Roebuck.

The work will not conflict with the proposed underpass for Geary Boulevard at Masonic Avenue scheduled for 1975-76.

The proposed supplemental appropriation of \$30,100 will include planting the island and the widened divider strip in the area just south of Geary Boulevard, replacement of trees which must be removed, and planting where there are no street trees now."

The Director recommended that the supplemental appropriation be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the Director be authorized to report that the supplemental appropriation of \$30,100 for the landscaping of Masonic Avenue between Geary Boulevard and Page Street is in conformity with the Master Plan.

R70.4      Seventeenth Street, north side, between Potrero Avenue and Bryant Street. Change in sidewalk width from 15 feet to 12 feet.

R. Spencer Steele, Assistant Director-Implementation, reported on this matter as follows:

"The Seventeenth Street right-of-way between Potrero Avenue and Bryant Street is 66 feet wide. Some twenty-five years ago, the sidewalk on the north side of the street bordering Franklin Square and across from the Municipal Railway bus yard was narrowed to 12 feet, between Hampshire and Bryant Streets, although the width was not officially changed by legislation. The proposal is to now narrow the sidewalk on the north side between Hampshire Street and Potrero Avenue in front of private property to conform with the rest of the street. A service station is to be constructed on the northwest corner of Potrero and Seventeenth, and the owner will pay the expense of the sidewalk narrowing along that frontage, leaving some 100 lineal feet to be done at City expense.

The sidewalk fronting the bus yard has already been officially abolished.

[illegible][illegible]

1. The first of the two main groups of people who are  
2. born in the United States are those who are born to  
3. American parents. These people are called "born  
4. citizens" and they are automatically citizens of the  
5. United States. The second group of people who are  
6. born in the United States are those who are born to  
7. foreign parents. These people are called "naturalized  
8. citizens" and they become citizens of the United  
9. States after they have lived in the country for a  
10. certain period of time and have met certain requirements.

to the fact that the supply of the material is not sufficient to meet the demand.

[illegible]

The above information was obtained from a review of the files of the Department of Social Services, New York City, dated July 1968.

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The sidewalk narrowing will facilitate the movement of traffic in this area where there are many busses turning into the bus yard."

During the course of Mr. Steele's presentation, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

The Director recommended that the proposed change in official sidewalk width be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the change in official sidewalk width on the north side of Seventeenth Street between Potrero Avenue and Bryant Street, from fifteen feet to twelve feet, is in conformity with the Master Plan.

#### CURRENT MATTERS (continued)

Rai Okamoto, representing the consultant firm of Okamoto/Liskamm, summarized Urban Design, Open Space Study Report No. 1 and responded to questions raised by members of the Commission.

At 2:55 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 p.m. for hearing of the remainder of the agenda.

#### 3:00 p.m. - Room 282, City Hall

ZM69.23 Children's Hospital garage and 3822 through 3844 California Street, north line, west of Cherry Street.

R-4 to an R-4-C district  
(Under Advisement from meetings of December 4, 1969, and January 8, 1970)

The Secretary read a letter from Robert C. Densmore, administrator of Children's Hospital, requesting that the subject application be withdrawn. The letter noted that the application for reclassification of the subject property from R-4 to R-4-C had been filed because the owner of the Fantasia Bakery had indicated that he would consider selling the property only if his business could remain on the site. However, after several weeks of negotiation, the owner had agreed to drop that condition and had indicated that he would be willing to sell the property at a satisfactory price and to move his business to another location.

R. Spencer Steele, Assistant Director-Implementation, recommended the adoption of a draft resolution which he had prepared approving the withdrawal of the portion of the subject application requesting reclassification of property along California Street from R-4 to R-4-C. He noted that the Commission had

to a certain extent, will still have the same effect in the case of the other cases turning out as they do.

During the course of the investigation, the Commission has in the past been very helpful in the Commission's work.

The Director was asked what steps he had taken to ensure that the Commission's work was carried out in a satisfactory manner.

After discussion it was agreed by the Commission that the Director should be asked to ensure that the Commission's work was carried out in a satisfactory manner. The Director was asked to ensure that the Commission's work was carried out in a satisfactory manner.

IT WAS AGREED THAT THE COMMISSION SHOULD BE ASKED TO ENSURE THAT THE COMMISSION'S WORK WAS CARRIED OUT IN A SATISFACTORY MANNER.

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previously adopted Resolution No. 6455 approving a portion of the subject application which involved the reclassification of property on the south side of Sacramento Street between Cherry and Maple Streets.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 6481

CU69.54     Harkness Hospital, 1400 Fell Street, north line,  
              between Lyon and Baker Streets.

Request for expansion and modernization of present facilities and construction of a one-story addition to existing structures in the inner courtyard; in an R-4 district.  
(Under Advisement from meetings of December 4, 1969, and January 8, 1970)

The Secretary read a letter from Elmer E. Botsai, architect for the applicant, stating that he had been advised that there is an imminent possibility that the Harkness Hospital may be the recipient of a rather large grant of money. If so, considerable changes might be made in the plans for expansion and remodeling of the hospital. Under the circumstances, he requested that the subject application be continued under advisement.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the subject application be continued under advisement indefinitely.

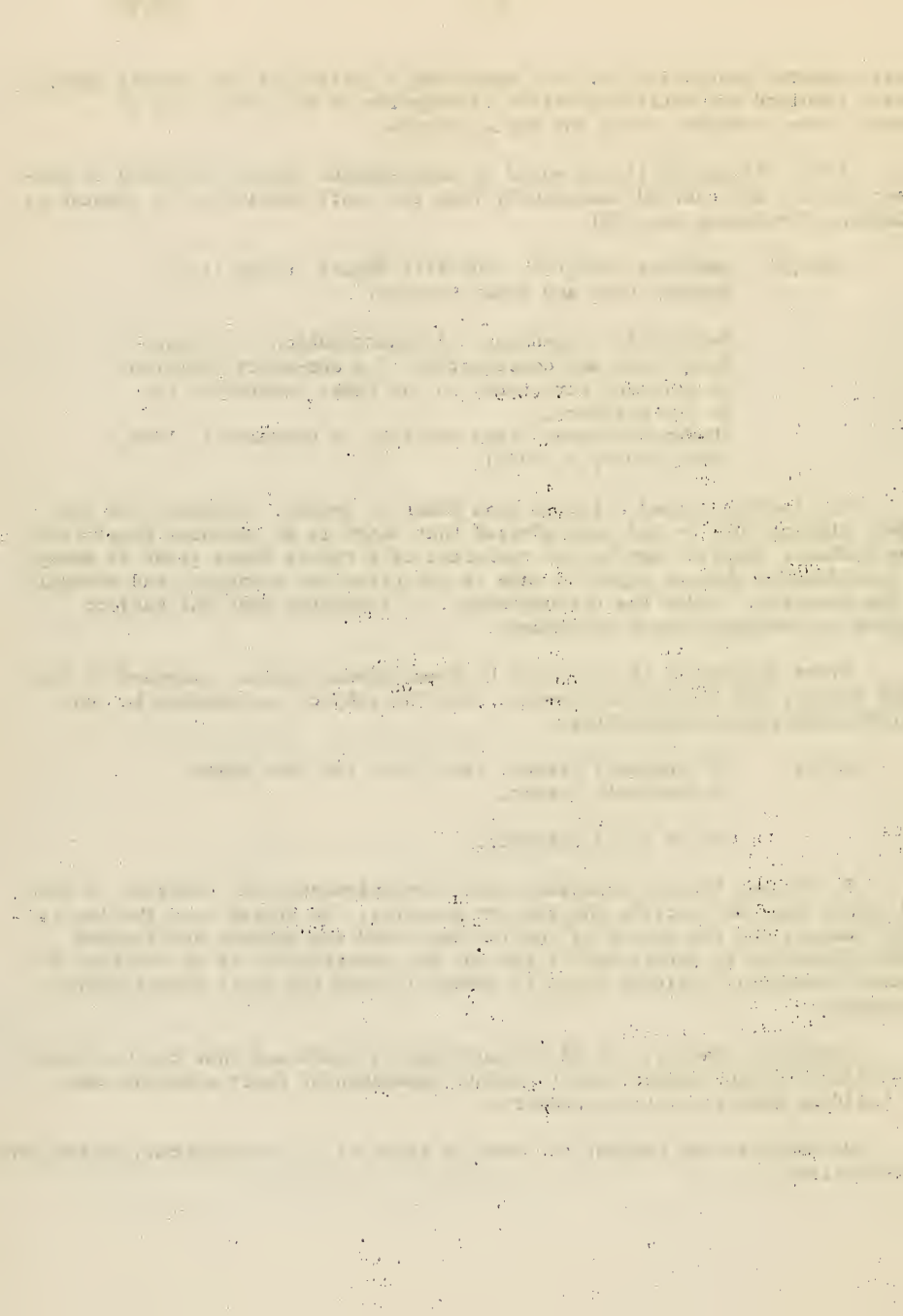
ZM70.2     577 Shotwell Street, east line, 100 feet north  
              of Twentieth Street.

R-3 to a C-2 district.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that the lot is presently vacant; and the owners of the lot had filed the subject application for reclassification to permit use of the lot for construction of an addition to an adjacent commercial building which is presently used for their carpet dealership business.

Charles H. Packer, one of the applicants, confirmed that the purchase of the reclassification request was to permit expansion of their existing commercial building onto the subject property.

No one else was present to speak in favor of or in opposition to the subject application.



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Mr. Steele stated that the applicant had demonstrated a need for expansion of the commercial use which presently occupies all of the C-2 zoned land in the subject block; and he felt that the commercial expansion could be accommodated appropriately by the proposed extension of the existing C-2 district. Therefore, he recommended approval of the subject application.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6482 be adopted and that the subject application be approved.

ZM70.3      Various parcels of property located in the two blocks bounded by Folsom, Nineteenth, Harrison, and Twentieth Streets.

M-1 and C-M to an R-4 district.

The Secretary read a letter from Donald S. Kavanagh, the applicant, requesting that hearing of the subject application be postponed until after February 26, 1970, to permit review of the proposal by the Mission Coalition organization.

Mr. Steele recommended that hearing of the application be postponed until the Commission's meeting on March 5.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that hearing of the subject application be postponed until the meeting of March 5, 1970.

At 3:20 p.m. President Kearney announced a ten-minute recess. The Commission reconvened at 3:30 p.m. and proceeded with hearing of the remainder of the agenda.

ZM70.4      Alemany Boulevard, southeast line, between 200 feet and 265 feet northeast of Onondaga Avenue.

R-1 to a C-2 district.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that both of the lots are presently vacant; and he indicated that the Pacific Telephone and Telegraph Company had requested that they be reclassified from R-1 to C-2 to permit construction of a three-story communications equipment building as a needed addition to the existing three-story Telephone Building on the southwestern corner of the subject block. In conclusion, he stated that the applicant had proposed to retain R-1 zoning on the northwesterly fifteen feet of the subject lots along the southeasterly line of Alemany Boulevard in order to preclude commercial access to the subject lots from Alemany Boulevard without conditional use authorization.

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Henry Morris, representing the Pacific Telephone and Telegraph Company, stated that the existing Telephone Building in the vicinity is filled to maximum capacity; and, in order to keep pace with the increasing volume of telephone calls, a new building would have to be constructed to house additional dial switching equipment.

Commissioner Fleishhacker asked if it would be possible to expand the existing Telephone Building vertically. Mr. Morris replied in the negative and indicated that the new facility would have to be disbursed laterally because of trunking requirements.

Commissioner Newman remarked that the members of the Commission had taken a field trip to the subject property and had noted that the landscaping around the existing Telephone Company Building is not particularly well-maintained. He asked if the Telephone Company intended to landscape the new building. Mr. Morris replied that landscaping plans had been submitted to the staff of the Department of City Planning which would affect both the new and the old buildings.

William White, president of the Alemany District Council Improvement Club, stated that the members of his organization were in favor of the Telephone Company's proposal since construction of the proposed building would solve the neighborhood's long-term problem of opposing ingress and egress from Alemany Boulevard to commercial properties located on Mission Street by making such access impossible.

No one was present to speak in opposition to the subject application.

Mr. Steele felt that the applicant had demonstrated a need for expansion of the existing C-2 zoned building. Since the physical needs of the expansion would require horizontal expansion into the adjacent R-1 district, and since the R-1 properties in question had not been used for residential purposes for many years, he felt that the proposed reclassification would be appropriate.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6483 be adopted and that the subject application be approved.

CU70.2

Portions of the block bounded by Buchanan, Turk, Webster, and Eddy Streets and the vacated right-of-way of Larch Street. Request for a planned unit development with approximately 92 dwelling units developed under unified site plan with open space provided in a manner that does not meet the locational standards for such open space under the applicable provisions of the City Planning Code; in an R-3 District.



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R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that the San Francisco Redevelopment Agency proposed to redevelop and rehabilitate the subject property for predominantly medium density residential use. The agency had requested authorization for a planned unit development with approximately 92 new dwelling units including 12 efficiency apartments, 24 one-bedroom and 24 two-bedroom apartments as well as 14 three-bedroom and 18 four-bedroom townhouses. The property would be developed under a unified site plan with open space and rear yards provided in a manner which would not meet the locational standards as specified under the applicable provisions of the City Planning Code.

William Rosso, Director of Architecture and Housing for the Redevelopment Agency, stated that plans, drawings, sketches, and photographs describing the proposed project had already been supplied to the members of the City Planning Commission. The 92 units would be constructed by the Fillmore Development Corporation for low and modern income families under Section 236 of the Federal Housing Act. He stated that the proposed project would be almost identical to another planned unit development which had previously been approved by the Commission.

Commissioner Fleishhacker asked if the new dwelling units would be rented. Mr. Rosso replied in the affirmative but indicated that an option for conversion to condominium ownership would be available.

Commissioner Newman asked if it were certain that funds would be available for financing the proposed project. Mr. Rosso replied that a letter had been received giving assurances that a firm commitment would be forthcoming. Upon receipt of the funds, approximately thirty days would be needed for final arrangements to be made before actual construction could begin.

No one was present to speak in favor of or in opposition to the subject application.

Mr. Steele felt that the linkage of common open space as proposed by the site plans for the proposed project would be an adequate, in fact desirable, substitute for the normal rear yard requirements of the City Planning Code. Therefore, he recommended that the Application be approved subject to three conditions which would require that the project be constructed in conformity with the plans which had been submitted, which would limit the density of the development to one dwelling unit for each one thousand square feet of lot area, and which would require that final site and building plans be submitted to and approved by the Department of City Planning prior to the filing for necessary building permits.

Commissioner Porter asked if some of the existing buildings on the subject block would be retained. Mr. Steele replied in the affirmative indicating that two eight-unit dwellings would be retained and rehabilitated.



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After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6484 be adopted and that the Application be approved subject to the conditions contained in the draft resolution.

CU70.3                    915 North Point, south line, 45.83 feet west of Larkin Street. Request to expand the North Point Garage and to eliminate its nonconforming use expiration date under Section 154(e) of the City Planning Code; in an R-3 District.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that the applicant proposed to change the zoning status of the North Point Garage from a nonconforming use to a conditional use with no termination date and had also requested authorization for expansion of the existing garage. As originally proposed, the expansion would have involved the removal of the existing roof of the building and the addition of two parking decks, the upper deck being open to the sky. The completed garage would have had a total height of less than forty feet as measured from North Point Street and a total capacity of 120 automobiles. Recently, however, the applicant had revised the plans for expansion to remove the parking spaces from the top deck so that all of the automobiles parked in the building would be covered. The total capacity of the revised facility would be one hundred automobiles. Mr. Steele also remarked that a great deal of concern had been expressed about new ventilating equipment which had been placed on the roof of the existing building; and, as a result, the applicant had indicated that the ventilating equipment would be housed entirely within the building with vents along the North Point Street frontage of the site. In conclusion, Mr. Steele stated that ingress and egress to the first level of the garage would be from North Point Street and that access to other levels would be from Larkin Street.

President Kearney asked how many parking spaces the revised plans would add to the parking spaces already available in the building. Mr. Steele replied that forty additional spaces would be added to the building if the revised plans were approved.

Neither the applicant nor his representatives were present in the meeting room.

Bernard Price, owner of properties located at 940 and 950 Bay Street, stated that the garage is already noisy; and he did not understand how the Commission could approve use of the site for a commercial garage since the property had been zoned R-3 by the Commission to encourage residential development. Furthermore, while the applicant was requesting permission to "enlarge a garage,"



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Mr. Price stated that the subject building had not previously been operated as a garage but as a warehouse. In any case, he did not feel that it would be appropriate to have a commercial garage located on the subject property since the neighborhood is already developed with residential buildings.

Lewis Lindsay, representing the Transportation Committee of the Citizens Planning Committee, indicated that he was opposed to the proposed project both because of its effect on adjacent residential properties and because it would be another example of the current trend towards overexpansion of facilities for the automobile. If the garage were approved, pollution would be added to the atmosphere of the area from the engines and asbestos brake linings of the automobiles which would use the garage; and the noise which would be generated by the garage would be most disturbing to residents of the area. He felt that approval of the application would be a grave error on the part of the Commission; and, since the applicant did not care enough about the proposal to be present at the hearing, it was obvious that he did not think much of the proposal either.

Mr. Steele advised the Commission that word had just been received that the applicant's representative was on his way to the meeting.

Commissioner Mellon asked if he had been correct in understanding that the ventilation equipment presently located on the roof of the garage would be relocated by the applicant. Mr. Steele replied in the affirmative, indicating that the ventilation equipment would be located in the top level of the garage with its exhaust ducts located near the North Point Street frontage of the property.

Commissioner Fleishhacker asked if the subject building is currently being used as a garage or as a warehouse. Mr. Steele replied that the building is presently vacant and in the process of being remodeled from a warehouse to a garage.

Commissioner Fleishhacker, noting that the renovation project had not been approved by the City Planning Commission, asked if the renovation work could be considered legal. Mr. Steele replied in the affirmative.

Commissioner Kearney asked if the building had been used as a garage before it had been used as a warehouse. Mr. Steele replied in the affirmative.

Commissioner Newman noted that the applicant's statement which had been included in the case report had indicated that the traffic pattern of the neighborhood would not be changed by the proposal except for the siphoning off of some of the traffic searching for parking spaces. Yet, because of the slope of the property, he wondered how it would be possible for automobiles to enter the building from Larkin Street. Mr. Steele replied that traffic from Larkin Street would enter the building at the second and third level.



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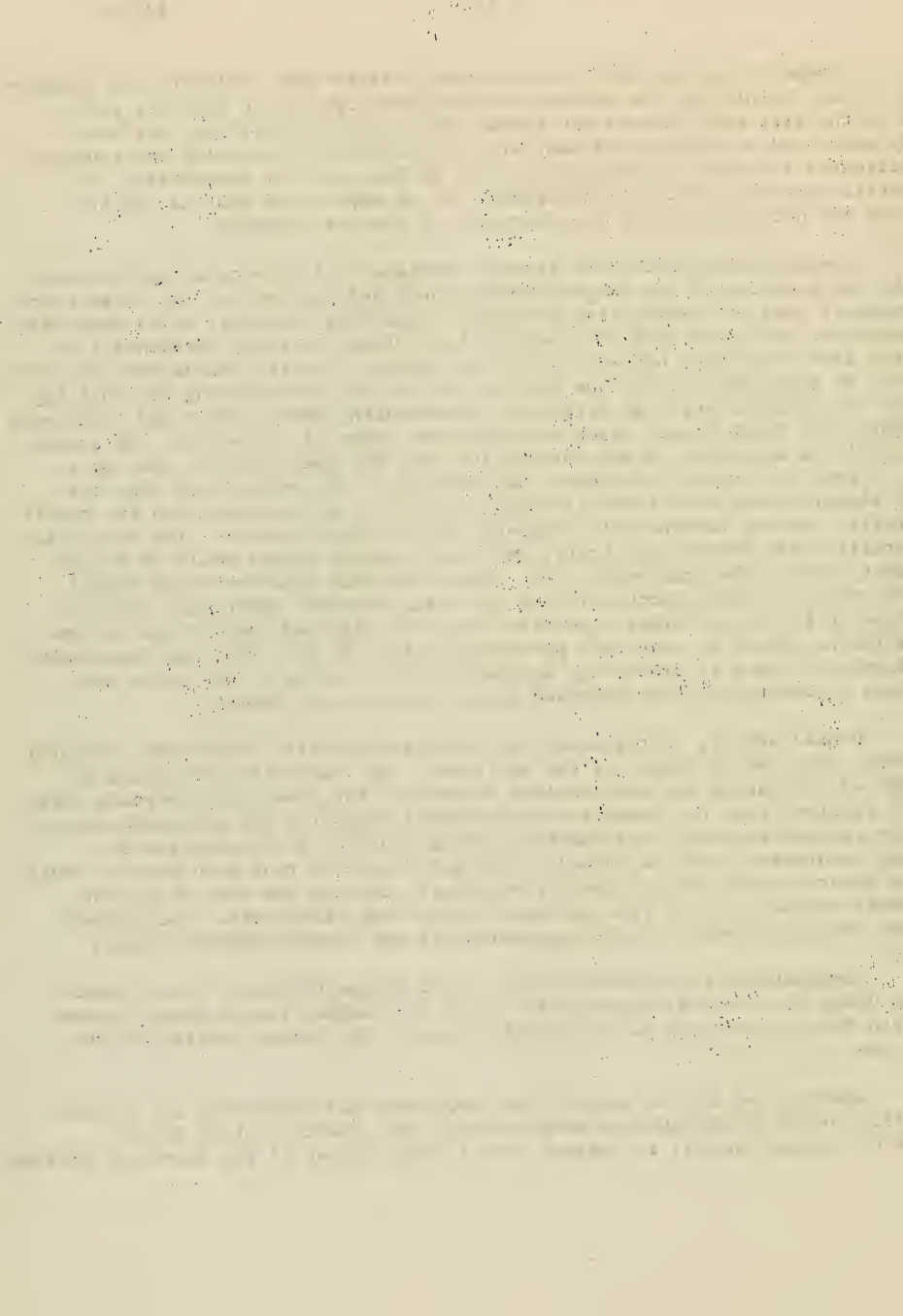
Thomas P. Curtin, 2925 Larkin Street, stated that residents and property owners in the vicinity of the subject property were opposed to having a public garage on the site with ingress and egress from Larkin Street; and they had already submitted a petition and many written statements protesting the proposal. He distributed a series of photographs which he had taken to demonstrate the residential character of the neighborhood; and he emphasized that he and his neighbors did not wish to have the character of the area changed.

Denison Bacon, 3030 Polk Street, displayed a large-scale land use map which he had prepared of the subject neighborhood and pointed out the areas which are presently used for residential purposes, commercial purposes, or as open space or greenspace. He noted that the area had been almost entirely residential in character five years ago; however, since that time, a totally unique area has been created. He also commented on the road system of the area pointing out that Bay, Van Ness and Columbus serve as arterials, Leavenworth, Hyde, Larkin and Polk serve as feeders, and North Point, Beach and Jefferson serve as connectors. He stated that traffic is attracted to and through the area for many reasons; and, as a result, a terrible traffic bottleneck has developed. He pointed out that the traffic signals along Bay Street favor that street as an arterial with the result that traffic becomes tremendously congested on the cross streets. The congestion is naturally worse during peak hours; and the proposed garage would be filled to capacity during the same hours. Mr. Bacon felt that positive steps should be taken to improve traffic circulation in the area; however, since many problems would have to be solved before a solution could be effected, he did not believe that decisions should be made on a piecemeal basis. He felt that the Commission would inevitably have to discourage automobiles from coming to the area; and, under such circumstances, the proposed garage would not be needed.

Donald Stover, representing the architectural firm of Wurster, Bernardi and Enmons, appeared in behalf of the applicant. He stated that the plans for expansion of the garage had been revised because of the tremendous response which had been received from the immediate neighborhood regarding the original proposal. Under the revised proposal, the rooftop parking would be eliminated and all mechanical equipment would be housed within and below the roof with exhaust vents directed towards North Point Street or vertically through the roof at a point which would be most distant from adjacent residential structures. The revised plans for the garage would provide approximately one hundred parking spaces.

Commissioner Fleishhacker asked if the garage entrances would remain the same under the revised proposal with 36 of the parking spaces having access from North Point Street and 64 from Larkin Street. Mr. Stover replied in the affirmative.

Commissioner Mellon asked if the applicant had undertaken any parking or traffic studies of the subject neighborhood. Mr. Stover replied in the negative but stated that it is obvious that a large number of the on-street parking



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spaces in the area are occupied by tenants of Ghirardelli Square since they arrive in the area earlier than the public. Consequently, it was hoped that certain portions of the proposed garage could be made very attractive to the tenants of Ghirardelli Square so that they would be encouraged to use the garage instead of parking on the street. He advised the Commission that the garage beneath Ghirardelli Square is operating at capacity at mid-day; and that situation had held true even in January which is historically a very slow month. Mr. Stover also called attention to the fact that the floor of the top level of parking in the proposed garage would be three feet below the existing roofline of the building.

Commissioner Porter asked if the garage would be used primarily for the parking of automobiles belonging to tenants of Ghirardelli Square. Mr. Stover replied that it was his client's intention to make the garage extremely attractive to tenants of Ghirardelli Square.

Commissioner Porter, noting that hospitals require their employees to park in garages or parking lots which they have provided, suggested that it might be desirable for Ghirardelli Square to make it mandatory for its tenants to park in the garage. She then asked if the garage would be open at night. Mr. Stover replied in the affirmative.

Commissioner Porter asked Mr. Steele if she were correct in understanding that the existing building could be used as a garage without any action being taken by the Commission. Mr. Steele confirmed that the building could be used as a 68-stall parking garage until May 2, 1980, without special action on the part of the Commission. However, if the building were to be expanded as presently proposed, a conditional use authorization for the expansion would have to be granted by the Commission.

Commissioner Porter stated that she had been disturbed by the original proposal which had been submitted by the applicant; and she sympathized with residents of the neighborhood in their concern over the proposed project. However, since it would be possible for the applicant to convert the building into a 68-stall garage without specific approval by the Commission, and since no conditions could be established by the Commission to protect the adjacent neighborhood under such circumstances, she felt that it would be desirable if the residents of the neighborhood would be willing to meet with the applicant to determine whether conditions could be worked out which would make a one hundred stall garage more acceptable.

Mr. Stover stated that the Ghirardelli Square garage does not presently have a sufficient number of parking spaces to meet the requirements of the City Planning Code. Under the circumstances, it had been hoped that some of the parking spaces in the subject building could be used to offset that deficiency. However, he had been advised by Mr. Steele that parking spaces in a nonconforming use building subject to a definite termination date would not be acceptable; and, for that reason, approval of the requested conditional use would be extremely important.



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Commissioner Ritchie remarked that most of the letters which he had received from residents of the neighborhood had not taken issue with the number of floors of parking to be provided but had expressed basic objections to use of the property for any sort of parking garage. The letters had also expressed concern over the ventilators which are presently located on the roof of the building. He wondered about the hours of operation of the ventilators and asked Mr. Stover if it were true that the applicant would attempt to relocate the ventilators within the building. Mr. Stover replied that the ventilators would be in operation during the hours when the garage would be open to the public. He also confirmed that the ventilation equipment would be relocated to an enclosed area and that the ventilation ducts would be directed towards North Point Street or vertically through the roof at a point which would be most remote from adjacent residential buildings.

Commissioner Ritchie asked if the building being converted to a garage had originally been constructed as a warehouse. Mr. Stover replied that the building had originally been a garage.

Commissioner Ritchie asked if the ventilators would remain on the roof of the building if the requested conditional use authorization were not granted. Mr. Stover replied that relocation of the ventilation equipment would be an expensive undertaking, especially if garage use of the building would have to be discontinued in 1980. However, he was confident that his client would instruct him to enclose the ventilation equipment with some type of acoustical material.

Commissioner Porter asked if it would be possible to deaden the noise of automobiles in the garage. Mr. Stover replied that the only openings in the garage would be on North Point and Larkin Streets if the garage were to be enclosed.

Commissioner Ritchie asked if the building would have a flat roof. Mr. Stover replied in the negative indicating that the roof would have a sufficient pitch for proper drainage. He also stated that the roof would be covered with an aggregate material. In response to further questions raised by Commissioner Ritchie regarding the roof of the building, Mr. Stover stated that the parapet of the building would be six inches below the top of the fence located along the alley to the south of the building and that the roof itself would rise no higher than the parapet.

Stuart Rose, manager and developer of Ghirardelli Square, stated that the subject building had been constructed in 1922 as a garage and that it had been operated by the City for the parking of police cars; however, when the building had been acquired by the present owners, it had been converted for retailing use. He had hoped that a new parking garage would be provided beneath Victorian Square; however, the Department of City Planning had opposed that garage and had suggested that smaller garages should be constructed on the periphery of the area. However, since a considerable amount of time might elapse before the peripheral parking is



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is provided, and since there is inadequate parking in the area at the present time, Ghirardelli Square had decided to request permission to revert the subject building to its original garage use. Mr. Rose stated that Ghirardelli Square had already spent \$2 million to construct underground parking spaces; but, at the present time, five or six additional spaces would be needed to fulfill the requirements of the City Planning Code. The subject property seemed to be a logical site for the additional parking spaces; however, for as long as the use would retain its nonconforming status with a specific termination date, the additional parking spaces would not be acceptable in terms of fulfilling the City Planning Code requirements for Ghirardelli Square. Therefore, he hoped that the conditional use application extending garage use of the building beyond 1980 would be approved.

Mr. Curtin stated that the ventilators on the roof of the building are in violation of Section 513(f) of the Building Code since they are located less than ten feet distant from the property line.

Janet Partridge, 940 Bay Street, confirmed that the subject building had once been used as a garage. She emphasized, however, that the building had never been used for public parking. Since the property is presently zoned R-3, she felt that the Commission must have felt that residential use of the property would be desirable; and she did not understand what changes might have occurred to make the Commission change its mind. She agreed that the neighborhood had been improved as a result of the Ghirardelli Square project; yet, at the same time, traffic congestion in the area had increased significantly. While she felt that steps should be taken to relieve traffic congestion in the area, she felt that the ultimate solution might lie not in the construction of garages but in encouraging publicly and privately financed transit to bring people to the area. In any case, the garage which was being proposed would bring a very commercial atmosphere to the area and would have an undesirable effect on both the residential neighborhood and on Ghirardelli Square itself. She advised the Commission that there are 182 dwelling units within a 300-foot radius of the subject site; and she indicated that many of the apartments on Bay Street have bedrooms and livingrooms which overlook the garage which is presently open and most unattractive. Even if the garage were to be enclosed, it would still have a noticeable effect on the neighborhood since the Traffic Engineering Bureau of the Department of Public Works had estimated that as many as forty automobiles per hour might be going in and out of the garage at peak periods. Under those circumstances, automobiles would be leaving or entering the building every minute and a half. She stated that the streets in the area are quite narrow and heavily congested with automobiles; however, if people were willing to pay for parking spaces instead of looking for free parking, they could always go to the Ghirardelli Square garage. In conclusion, Miss Partridge submitted a petition which had been signed by residents of the neighborhood in opposition to the proposed garage.

Albert Mark, 900 Bay Street, remarked that the subject block feels and looks like a residential area; and, in view of the many amenities located nearby, he considered it to be the best place that he had ever lived. He acknowledged that



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traffic had become worse in the area during the past four years; but it really becomes "impossible" only on weekend afternoons. If the new garage were approved, however, it would generate heavy traffic on Larkin Street which is not presently designed to bear any additional traffic burden; and it would be likely that as many as twenty parking spaces would have to be sacrificed along the street so that traffic from the garage could be accommodated. Mr. Mark stated that the first phase of the garage expansion project had already changed the character of the lot; and, if the additional expansion being requested were to be permitted, the garage would inevitably dominate the block with light, exhaust fumes, noise, etc. In addition, use of the building as a garage would inevitably increase the possibility of burglaries in the neighborhood. He noted that the country is presently in an ecological crisis; and he suggested that the crisis involves more than just redwood forests and rivers. He felt that the quality of life should be considered more important than making money; and he felt that the requested expansion of the garage should be disapproved.

Professor Duane Wakeham, 971 North Point Street, felt that an outstanding job of restoration had been done at Ghirardelli Square and that the project would act as a catalyst to encourage other similar developments in the area; however, having viewed the plans for the project now proposed, he felt it obvious that commercial success has nothing to do with good taste. He wondered if the developers of the proposed garage had seen it at night when it is lit by florescent lights and when its grotesqueness is most incompatible with the subject block and with Ghirardelli Square itself. He noted, however, that the florescent lights had not been turned on for the past two nights, possibly because of the hearing scheduled before the Commission. He stated that residents of the area did not object to Ghirardelli Square; and, in fact, the opening of Ghirardelli Square had encouraged property owners on North Point Street to improve their own buildings. When he had first seen the plans for the proposed garage, he had been certain that the applicant would wish to modify the plans; however, even the revised plans would result in an unsightly and ugly building. Under the circumstances, he hoped that the Commission would disapprove the subject application.

Paul Burke, 900 Bay Street, remarked that intrusion of the proposed garage into the subject residential area would seriously impair the character of the neighborhood; and the residents of the neighborhood were overwhelmingly of the opinion that the residential character of the area should be maintained. He noted that the applicants had not shown that any difficulty or hardship would result if the subject application were to be disapproved, and he also emphasized that the effect of the proposed building would not be minor since the garage would attract a great deal more automobile traffic to the area. As a result, it would be impossible for traffic to move on the streets or for residents of the area to get into or out of their garages. Mr. Burke also indicated that he had serious questions regarding the legality of allowing the building to be converted from a warehouse to a garage for the remainder of the amortization, since the building had not been used as a garage when the new City Planning Code was adopted on

The first part of the paper is devoted to a general discussion of the problem of the origin of life. It is shown that the problem is one of the most important and most difficult in the history of science. The author discusses the various theories of the origin of life, and shows that the most plausible is the theory of spontaneous generation. This theory is based on the fact that the conditions of the early earth were such that the formation of organic molecules was a natural consequence of the physical and chemical processes going on at the time. The author also discusses the possibility of life having originated on other planets, and shows that this is a possibility which cannot be completely excluded.

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May 2, 1960. Technically, nonconforming uses are defined as "any use lawfully occupying property at the time of adoption of an ordinance"; and, since the building had not been used as a garage in 1960, he questioned whether the applicant's proposal could qualify for conditional use status under Section 154(e) of the City Planning Code. Mr. Burke regarded the ultimate purposes of zoning to be related to the confinement of certain classes of buildings to certain localities and to reduce the number of nonconforming uses as rapidly as possible; and he suggested that a strict interpretation of that policy should be followed by the Commission in considering requests for expansion or extension of nonconforming uses. In conclusion, Mr. Burke called attention to the statement of purposes contained in the City Planning Code which includes the following objectives:

- "1. To protect the character and stability of residential, commercial, and industrial areas within the City, and to promote the orderly and beneficial development of such areas;
- "2. To prevent overcrowding the land and undue congestion of population."

Mr. Steele stated that the present use of the property as a garage with 68 parking spaces is legal within the framework of the City Planning Code; and, if the ventilation equipment on the roof of the building has been improperly located, he assumed that that situation would be corrected by the Bureau of Building Inspection. Given the modifications in the plans which had been described by Mr. Stover, he felt that the proposed facility would provide appropriate additional off-street parking for Ghirardelli Square which cannot provide additional parking in its commercially zoned block without demolition or extensive alterations of buildings which it would be desirable to retain. Furthermore, the subject property is located in an area which had been indicated as an appropriate area for off-street parking facilities in the recently approved Northern Waterfront Master Plan. However, rather than approving the application at the present time, he felt that it would be desirable for the Commission to take the Application under advisement until the meeting of March 5 so that the staff of the Department of City Planning could prepare a list of conditions which would provide safeguards necessary to make the garage compatible with the surrounding residential neighborhood. The type of conditions which he had in mind would cover the following:

- "1. the maximum capacity of the garage, the layout of the parking spaces, and means of ingress and egress to the garage;
- "2. location and type of natural and mechanical ventilation;
- "3. hours of operation;



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- "4. exterior appearance of the building from all directions;
- "5. extent of signs; and
- "6. possibility of a termination date to the garage related to the eventual availability of off-street parking elsewhere in the vicinity or improved public transit which would reduce the need for accommodating automobiles of visitors to the area."

President Kearney stated that he would be opposed to taking the application under advisement since he was of the opinion that the key issues which had been raised by residents of the neighborhood could not be resolved. The garage is a nonconforming use in a residential district; and he did not feel that nonconforming uses should be allowed to remain beyond the 1980 termination date unless they are supported by residents of the neighborhoods in which they are located. In the present instance, residents of the neighborhood had opposed both the expansion of the building and the proposed extension of the use beyond 1980; and based on those two factors alone he was prepared to vote against the application. In addition, he had visited the site on the previous afternoon and had noted the severe traffic congestion in the area; and he felt that to be another good reason for denying the subject application.

Commissioner Porter stated that she was basically in accord with the statements which had been made by President Kearney. However, since the building could be used as a garage for 68 automobiles until 1980 without any conditions being established by the Commission, and since conditions could be established to protect the neighborhood if the subject application were to be approved, she wondered if Mr. Curtin and the other neighbors would be willing to discuss the matter further if the application were to be taken under advisement as had been recommended by Mr. Steele.

Mr. Curtin stated that he personally felt that there should always be room for further discussion. However, since residents of the neighborhood had very strong feelings with regard to the proposed project, he felt that it would be desirable to be able to have a caucus of the group before giving a definite answer to Commissioner Porter's question.

At 5:00 p.m. President Kearney announced a five-minute recess. The Commission reconvened at 5:05 p.m. and proceeded with the hearing.

The Secretary read a letter which had been received from Dr. Frank Hinman, Jr., president of the Russian Hill Improvement Association, in opposition to the subject application. Dr. Hinman stated that the granting of the requested conditional use without a termination date would weaken the sensitive zoning structure



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of the area; and, because the mechanical ventilators would be noisy, because the local air pollution would be increased by the garage, because traffic would be increased in the area as a result of the garage, and because open garages are ugly, he felt that the garage would have the effect of deteriorating the environmental quality of the area. At the conclusion of his letter, Dr. Hinman questioned whether Section 204.2 of the City Planning Code would permit garages to be located in R-3 districts even as a conditional use.

Mrs. Mantallo, 943 North Point Street, asked Commissioner Porter how she would feel about the proposed garage if she were a resident of North Point Street. Commissioner Porter replied that she would probably be very critical of the plans which had been submitted for an open parking garage. However, since it would be possible to establish conditions for the protection of the neighborhood if the conditional use application were to be approved, she felt that some advantage might be gained through discussion. It was for that reason that she had asked the members of the audience to determine whether they would be willing to meet with the applicants and the staff of the Department of City Planning to discuss possible changes or if they were unalterably opposed to the proposed project.

Mrs. Mantallo stated that she was opposed to having the garage located in a residential district.

Mr. Curtin advised the Commission that residents of the neighborhood were not in favor of taking the application under advisement. He also stated that the neighbors objected to the fact that the garage had been planned without their knowledge or participation.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6485 be adopted and that the subject application be disapproved.

Commissioner Fleishhacker asked if there were any reason to believe that the present use of the property as a 68-car garage is improper. Mr. Steele replied in the negative.

The meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, February 19, 1970.

The City Planning Commission met pursuant to notice on Thursday, February 19, 1970 at 1:00 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, Vice President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation; Robert Passmore, Assistant Zoning Administrator; Phoebe H. Brown, Planner IV; Samuel Jung, Planner IV; Joseph Fitzpatrick, Planner III; Daniel Sullivan, Planner III; Edward Michael, Planner III; Frederick Mock, Planner II; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner. Channel Two Television was also represented.

1:00 p.m. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on March 5, 1970.

2:15 p.m. - 100 Larkin Street

APPROVAL OF MINUTES

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of January 22 and 29, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that the Planning and Development Committee of the Board of Supervisors, meeting on Tuesday, had considered the proposed Market Street Sign Ordinance and had taken the matter under submission.

The Director indicated that the zone changes which have been approved by the Commission for the Northern Waterfront area may be considered by the Planning and Development Committee of the Board of Supervisors on March 3.



The Director advised the Commission that a public hearing on the Height Limits proposed for Ocean Beach has been scheduled for the meeting of March 12. Another public hearing on a proposed amendment to the City Planning Code relating to the number of units which can be built on R-1 lots will be scheduled for March 19.

President Kearney stated that he had received a letter from Stanley H. Sinton, President of SPUR, outlining proposals for the leasing of air rights, enforcement of the negative covenants, and a landscaped pedestrian esplanade for the Northern Waterfront area. He had sent copies of the letter to other members of the Commission; and he asked the staff to analyze and report on the proposals.

CONSIDERATION OF PROPOSAL TO DESIGNATE THE COLUMBUS TOWER (Sentinel Building)  
AT COLUMBUS AVENUE AND KEARNEY STREET AS A LANDMARK

Ralph Mead, Planner III, stated that he had received a telephone call from Sydney Rudy, attorney for the owner of the building, requesting that hearing of the matter be postponed to allow him additional time to confer with his client regarding the proposal. The Director recommended that the hearing be postponed until the Commission's meeting on March 12. After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that hearing of the Landmark proposal be postponed until the Commission's meeting of March 12, 1970.

FINAL REVIEW OF PLANS FOR PROPOSED STONESTOWN THEATER

Robert Passmore, Assistant Zoning Administrator, noted that the Commission had previously approved preliminary plans for a one-thousand-seat theater in the Stonestown Shopping Center; and he indicated that the final plans which had now been submitted were almost identical to the preliminary plans.

The Director recommended that the final plans be approved.

George Choppelas, attorney for the applicant, indicated that both he and the architects of the proposed building were present to answer any questions which might be raised by members of the Commission.

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Finn, and carried unanimously that the final plans be approved.

R70.5 Widening of Obsidiana Lane and Digby Street  
and vacation of a portion of Everson Street.

Samuel Jung, Planner IV, reported on this matter as follows:



"Obsidiana Lane, on the southernmost hill in Diamond Heights, has been improved as an 18-foot wide street leading off of Digby Street and connecting with the turnaround at the westerly end of Everson Street. The hill is still unbuilt on, but there is a proposal to build moderate priced townhouses below and to the west of Obsidiana which would front on Addison Street. Apartments will be built on top of the hill to the east of Obsidiana Lane.

The Redevelopment Agency is proposing to widen Obsidiana Lane so that it will have a 22-foot roadway, a 4-foot sidewalk on the east side, and a guard rail on the west side where the hill drops sharply. The turnaround where it connects with Everson Street will provide for a transition to the 26-foot roadway of the latter street, and the excess area of the turnaround will be vacated. Digby Street will be widened by about 7 feet where it joins Addison Street, and the intersection of Digby and Obsidiana will be widened considerably and provided with a traffic island.

Obsidiana Lane and the portion of Everson which it joins will be one-way southbound; Digby Street will be one-way northbound. Parking will be permitted only on the east side of Obsidiana.

The Redevelopment Agency will pay for the work which is estimated at \$15,000 - \$20,000.

A concurrent proposal is to change the name of Obsidiana Lane to Everson Street."

Commissioner Porter, noting that Digby Street has a width of 47 feet, asked why it would be designated for one-way traffic. The Director stated that the Commission was not being requested to take action regarding the proposal for one-way traffic flow; however, since he, also, questioned the necessity of designating Digby Street as a one-way street, he indicated that he would be willing to discuss the matter further with the Department of Public Works. In any case, he recommended that the widening of Obsidiana Lane and Digby Street and the vacation of a portion of Everson Street be found in conformity with the Master Plan.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the Director be authorized to submit the following report:

"The proposed widening of Obsidiana Lane and Digby Street and the vacation of a portion of Everson Street are in conformity with the Master Plan.



"It is further recommended that the necessity of designating Digby Street as a one-way street be re-examined by the staffs of the Redevelopment Agency, the Department of Public Works, and the Department of City Planning."

At 2:45 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 p.m. for hearing of the remainder of the agenda.

3:00 p.m., Room 282 - City Hall

PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE MASTER PLAN OF THE CITY AND COUNTY OF SAN FRANCISCO SETTING FORTH POLICIES AND PROPOSALS FOR THE IMPROVEMENT AND FUTURE DEVELOPMENT OF THE SOUTH BAYSHORE AREA.

President Kearney welcomed the members of the audience and advised the people present that adoption of the proposed Master Plan Amendment would not in itself change any zoning in the study area. In order to change any existing zoning in the area, both additional notification and separate public hearings would be required.

Allan B. Jacobs, Director of Planning, remarked that a number of meetings had been held in the neighborhood during the course of the South Bayshore Study. When the study was received, over six hundred copies of the report had been distributed; and two public meetings had been held to receive comments concerning the plan. Subsequently, the staff had evaluated the comments which had been received and had then prepared a recommended amendment to the Master Plan for the South Bayshore area which was based upon the conclusions reached by the study as well as by public comment and subsequent findings. Approximately two hundred copies of that document had been distributed.

On the request of the Director, R. Spencer Steel, Assistant Director - Implementation, summarized the Master Plan amendment which was being proposed. He also indicated that the staff of the Department of City Planning, following publication of the proposed amendment, had proposed certain modifications to the amendment which should also be considered by the Commission. The first modification, an addition to the text of the amendment, would add the following sentence to Item No. 6 of the residence proposals contained on page 6: "No public housing should be built in this area." The area referred to was Candlestick Cove.

Three map changes were being recommended as follows:

- "1. Delete easterly alternate alignment of Hunters Point Freeway south of the County line which suggests an offshore freeway extending south from San Francisco.



2. In Candlestick Cove area all housing should be indicated as low-density.

3. Indicate entire Assessor's Block 5356, bounded by Bay View, Flora, Pomona Streets, and Thornton Avenue, as the site of Bay View Elementary School."

Mr. Steele also indicated that the Port Commission had requested minor modifications to the shoreline configurations bordering India Basin. He recommended that all of the modifications which he had cited be included in the Master Plan document under consideration.

Commissioner Fleishhacker asked Mr. Steele to read the entire text pertaining to Candlestick Cove, as amended. Mr. Steele read the statement as follows:

"Up to 700 homes, including recreation, education, and shopping facilities should be built at Candlestick Cove and extending up the southern slope of Bay View hill. No public housing should be built in this area."

Commissioner Porter asked what size the lots in Candlestick Cove were likely to be if the area were to be developed with 700 homes. Mr. Steele stated that it would be difficult to estimate the size of the lots because of topographical problems which might be encountered in the area and because the area would probably be subdivided by a private developer. The Director estimated that the lots would average approximately 4,200 square feet.

At 3:25 p.m. President Kearney announced a recess and asked that the proceedings be moved into the Chambers of the Board of Supervisors where more space would be available to accommodate the audience. Following the move to the Board of Supervisors' Chambers, the meeting was reconvened at 3:40 p.m.

Elouise Westbrook, representing the Hunters Point Joint Housing Committee and the Model Cities Agency, stated that she was honored to be able to speak in favor of the proposed Plan, after having met with the staff of the Department of City Planning on numerous occasions to discuss the South Bayshore Study. She stated that the residents of the South Bayshore area had determined that they wished to have a better neighborhood which would give them more dignity and which would enable them to pay taxes and become a part of San Francisco; and she felt that the Plan which had been prepared by the staff of the Department of City Planning would help to achieve those objectives. She was particularly pleased by the proposal contained in the Plan for construction of new homes in the Candlestick area. She stated that Hunters Point had been experiencing problems for a number of years; and never on a single occasion had any of the area's "sister neighborhoods" made any effort to help the people on Hunters Point to get the type of things which are necessary to make a good neighborhood. She stated that she did not want to have any more



public housing in the area; rather, she wished to have the area developed into a neighborhood which could be regarded with pride by its residents. And since she felt that the Plan would help to make the South Bayshore area a better community, she urged that it be adopted.

Miss Miriam Wolff, Director of the Port Commission, stated that the Port Commission would be satisfied with the slight shoreline changes which had been recommended by Mr. Steele; and, as a result, she felt that the Port Commission could be recorded as being in general accord with the Plan.

Miss Eunice Elton, representing the U. S. Department of Labor's Manpower Administrator for San Francisco, read and submitted the following statement:

"This statement is in support of the proposal prepared by your staff for the Southeast part of San Francisco in the South Bayshore area. I speak as a Department of Labor representative specifically concerned with the employment problems of the people of this City, and with the Model Cities program now being developed in the Bayview Area.

Adoption of this plan is in the best interests of San Francisco, in my opinion, because it provides a balanced framework within which both employment opportunities and the amenities of a good residential area can be developed. Jobs will develop through implementation of the recreational plans and the shopping area, as well as in the construction of proposed housing and other facilities. Those jobs are important, and they are a key factor in any viable Model Cities plan for the area.

Speaking also as a citizen of San Francisco, I urge adoption of the proposal because it provides for open space, for recreational activities so badly needed in that part of the City, and for optimum use of the shoreline area for the greatest number of our citizens.

Both professionally and personally, then, I urge your approval and adoption of this plan as City policy."

Betty Schafer, 2853 Green Street, felt that the proposed Plan would be a good program to be followed in improving the South Bayshore area.

Michael Fischer, representing the San Francisco Planning and Urban Renewal Association, stated that his organization stood in whole-hearted support of the South Bayshore Plan. He believed that the Plan represented the first successful local effort in combining both social and land-use planning;



and he indicated that he was particularly pleased with the proposal for construction of housing in the Candlestick Cove area. In conclusion, Mr. Fischer noted that the proposed Southern Crossing, which had been accepted as a "given" during the course of the South Bayshore Study, had recently been opened again to discussion; and, as a result, he urged the Commission to give further consideration to the effects which the bridge might have on the South Bayshore area if it were to be constructed.

Mrs. Paul Sack, 3020 Washington Street, stated that she would favor adoption of the Plan which would provide jobs, housing, and nice places to play for the people who reside in the South Bayshore area. She stated that she was particularly pleased about the proposals contained in the Plan which would open portions of the shoreline of the Bay to the public.

Henry Schindel, representing the Visitation Valley Neighborhood Coordinating Council, stated that he had hoped that an evening meeting would have been scheduled for the discussion of the Plan so that more residents of his neighborhood would have had an opportunity to be present. He did not wish to say anything from a bigoted viewpoint; however, he had been greatly aroused by a recent newspaper article on the South Bayshore Plan which had contained quotations from the Director of Planning and which belittled the people living in Visitation Valley. He stated that the residents of Visitation Valley want additional open space; but they did not share the view of the Department of City Planning with regard to where the additional space should be located. Furthermore, while they were anxious to have Candlestick Cove developed, they did not support the development which was being proposed by the Department of City Planning. He noted that any housing constructed in the Candlestick Cove area would depend on Visitation Valley for banks, churches, post office, and other facilities; and for that reason, residents of Visitation Valley were extremely concerned about the staff proposals for Candlestick Cove.

Mr. Schindel assured the Commission that the residents of his neighborhood were in accord with the objective of providing housing for all poor people; but he pointed out that Candlestick Cove is not the only parcel of vacant land in the City which could be used to achieve that objective. In any case, the residents of Visitation Valley did not wish to have any more low-cost housing or subsidized housing constructed in their neighborhood.

Mr. Schindel remarked that the recent newspaper article had implied that the residents of Visitation Valley objected to a "black belt" along the shoreline which would bring an influx of black people into Visitation Valley; and whether that statement had come from the Department of City Planning or from the newspaper writer, it had "hit below the belt". He felt that if the Commission were really interested in obtaining the views of the residents of the study area that they would have scheduled a meeting at night; yet, the President of the Commission had given a negative response to his request for a night meeting. He stated that the residents of Visitation Valley want jobs for boys of all races; and he felt that jobs could be provided only if



industrial facilities were to be constructed in Candlestick Cove. He emphasized that construction of housing in Candlestick Cove would not provide jobs. While the newspaper article had stated that the population of Visitacion Valley is predominantly white, Mr. Schindel noted that 66 percent of the population of the Sunnydale housing project is black. Of the pupils attending schools in the area, 31 percent are black and 60 percent are from minority groups.

Mr. Schindel reminded the Commission that the residents of Visitacion Valley had fought against the construction of the Eichler Towers. They had lost that battle; and, as a result, one of the worst messes in San Francisco now exists in their neighborhood. The Towers are filled with hundreds of children in spite of the fact that no recreational facilities are provided; and the situation has had a deplorable effect on the neighborhood. Under the circumstances, residents of the area did not intend to suffer further at the hands of the Department of City Planning; and they wished to make it clear that they did not favor the construction of any kind of housing in Candlestick Cove. He noted that all of the homes in Visitacion Valley had been brought up to Code standards several years ago, thus providing a start for other improvements in the area. In conclusion, Mr. Schindel expressed a hope that the Department of City Planning would work with residents of the neighborhood trying to solve problems with understanding instead of using "dirty tactics".

Freddie Brown, 4705 - 3rd Street, regarded the neighborhood center proposed for the South San Francisco Opera House site and the swimming pool indicated in the plan as only "token" attempts towards providing adequate recreational facilities for the area. Based on the number of people who presently live in the area and the number of people who will come to the area as the result of future projects, he felt that the recreational facilities proposed would be completely inadequate. Furthermore, the swimming pool would be the only facility of its type in the City to be located on a major thoroughfare; and he felt that the swimming pool should be located either north or south of the Burnett School so that it would be safer for and more accessible to the young people of the area. Mr. Brown also commented on the amount of green space available in other areas of the City, noting that in both the Sunset and the Richmond districts approximately one-third of the total area of the neighborhood is devoted to open space or recreation. In the South Bayshore area, however, only 55 of a total of 3574 acres are devoted to open space; and of those 55 acres, 24 are located at the top of a goat path on Bay View hill or in Candlestick Park itself. Therefore, the area has an actual total of only 31 acres of usable open space. Under the circumstances, he felt that the South Bayshore Plan should have put as much emphasis on the need for additional open space and recreational areas as it has placed on the need for additional housing and jobs; and he felt that a crash program should be undertaken to provide additional facilities of that sort. In the meantime, however, he hoped that the City Planning Commission would adopt the plan which had been recommended by the staff.

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Margot Patterson Doss, 1331 Greenwich Street, emphasized the need for greenery and open space and the desirability of providing access to the Bay for members of the public living in all areas of the City; and she indicated that she supported the South Bayshore Plan because it would encourage the development of recreational facilities along the waterfront.

Mrs. Edna Fobbs, 270 Jerrold Street, stated that she supported the South Bayshore Plan because she is a mother and because she works in the area. In particular, she felt that the recreational areas and green spaces proposed in the plan are needed.

Mrs. Morse Erskine, 233 Chestnut Street, represented People for Open Space. She stated that the members of her organization were most enthusiastic about the South Bayshore Plan, particularly insofar as it would affect the shoreline of the Bay. They regarded the plan as one of the most dramatic plans to be proposed since the Bay Conservation and Development Commission Plan for the Bay; and they believed that effectuation of the Plan would serve not only the residents of the subject neighborhood but the City as a whole. In view of Federal programs recently announced by President Nixon, she believed that it might be possible to obtain Federal grants to acquire open space in the South Bayshore area; and she hoped that the availability of such funds would be investigated. In conclusion, she suggested that a portion of the shoreline development recommended in the Plan be named in honor of Senator Eugene McAtteer who was responsible for the creation of the Bay Conservation and Development Commission.

Rebekah Hopkins, 219 Harper Road, stated that she did not know much about politics and planning; however, she hoped that for once something could be done to help the poor people in the area instead of playing games with their lives. She noted that a recent newspaper article had commented upon people being beaten up at one of the schools in the South Bayshore area; and she remarked that such events are the natural result of "putting people in cages".

Nathaniel Harris, 463 Thornton Street, agreed with the comments which had been made by Mrs. Hopkins and Mrs. Westbrook and indicated that he, also, favored adoption of the plan under consideration. He felt that it is a shame that children do not have an opportunity to grow up in an atmosphere with adequate recreational and health facilities and in housing which does not look regimented; and he felt that the open housing and open spaces being recommended in the South Bayshore Plan would improve the neighborhood. Therefore, he urged adoption of the Plan.

Joseph Brajkovich, 200 Tocoloma Avenue, spoke both for himself and for other residents of Little Hollywood. He stated that the residents of his neighborhood would be affected by the housing proposed for Candlestick Cove; and they were of the opinion that no more public housing should be



constructed in ghetto areas. He remarked that there are currently three thousand homes for sale in San Francisco which could be purchased for less money than it would cost to build the new homes proposed for the Candlestick Cove area; and he felt that purchase of those homes distributed throughout the City would make more sense than the staff proposal for construction of a new residential area in Candlestick Cove which would create an environment which would only breed more problems for the City. Mr. Brajkovich remarked that one of the conclusions of the Eisenhower Commission's Study of Urban Problems had been that most of the problems emanate from ghetto areas; and he felt that the logical solution to the problems would involve acquisition of homes for the poor in normal areas of the City instead of continuing to build ghettos. No matter how expensive the homes to be constructed in Candlestick Cove might be, the homes themselves would not be able to educate the people living in them or to make them feel as if they were a part of the community since the area would be just another ghetto. In his opinion, people are more important than homes; and he felt that anyone who would support the construction of homes for the poor in the Candlestick Cove area could be regarded as a "racist".

Mr. Brajkovich advised the Commission that Little Hollywood is an integrated area with a total of sixteen or seventeen black families; and he indicated that the residents of the area were disturbed by the fact that they had not been consulted during the course of the South Bayshore Study. While the staff of the Department of City Planning had assumed that Candlestick Cove and Little Hollywood are related to Hunters Point by dint of a common shoreline, he pointed out that the same type of reasoning could be used to relate the area to San Jose; and, in his opinion, Candlestick Cove and Little Hollywood should never have been included in the South Bayshore Study area in the first place. He believed that the South Bayshore Plan had been politically inspired; and he felt that the poor people of the City are too important to be used as a political football. In conclusion, he suggested that if the Commission had really been concerned about the feelings of the neighborhoods involved in the Plan, it would have scheduled an evening meeting so that the residents of Little Hollywood could have been present.

J. W. Thomas, 2323 Irving Street, stated that he owns property in the vicinity of Candlestick Cove; and he wondered how the housing proposed for that area would be financed. Would the property be acquired through eminent-domain proceedings; or would the housing be constructed by private builders? He also remarked that some of his land is presently under water; and he noted that the South Bayshore Plan would leave that land under water forever. Under the circumstances, he wondered if the City would require him to continue paying taxes on the submerged land.

The Director stated that the Plan being considered by the Commission was essentially a land-use plan; the Plan did not deal with the specific question of who would build the facilities being proposed. With regard to the Candlestick Cove area, however, he felt that it could be assumed that the



housing proposed for the area would be built by private contractors. He also confirmed that the Plan did propose that land presently under water should not be filled, and he noted that the Plan was in accordance with the recommendations of the Bay Conservation and Development Commission in that regard.

Mr. Thomas stated that he was entirely in favor of the Plan if it were designed to serve the best interests of all of the citizens of San Francisco. He remarked, however, that it would put certain property owners in a peculiar position. He stated that the taxes on his property had recently been doubled; and he wondered if any steps would be taken to obtain tax relief for people whose properties would be required to remain underwater.

The Director stated that the issue being raised by Mr. Thomas would have to be resolved by the Bay Conservation and Development Commission and by other agencies of the City. He indicated, however, that it would be a rare occurrence if the owners of such properties would not be compensated in some way for their loss.

Mr. Thomas asked how it would be possible for the people who need low-cost housing to acquire space in the Candlestick Cove area if the new housing were to be constructed privately. The Director replied that the Federal Government does have certain programs to assist moderate- and middle-income families to purchase housing. He noted, however, that the proposed Plan would specify that no public housing should be constructed in the Candlestick Cove area. If public housing were to be constructed in the remainder of the study area, the policy of the Plan would be that it should be on a scattered-site basis.

Mr. Thomas remarked that the average wage-earner is finding it difficult to afford housing; and, under the circumstances, if the purpose of the South Bayshore Plan were to provide housing for the people who need it, the Plan seemed to him to be no more than "a lot of smoke".

Harold B. Brooks, Jr., Chairman of the Bayview-Hunters Point Model Neighborhood Agency, stated that his agency had been funded by a grant from the Department of Housing and Urban Development and had been given the charge of planning social, physical, economic, educational, recreational, and other improvements for the South Bayshore area. He agreed with one of the previous speakers that the South Bayshore Plan was "political"; however, he regarded it as being "political" only in the sense that it had been initiated because the people in the area had insisted on the preparation of a plan for improvement of their neighborhood. During the course of the South Bayshore Study, the people of San Francisco had been involved in the development of a plan for the very first time; and he believed that the plan which had resulted from the study would serve as a foundation on which the Model Neighborhood Agency could deal with the problems of the area which have been caused by discrimination, fear, and other factors which add up to "racism".

1901. The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1901. The names are given in alphabetical order of their surnames.

1. J. A. Smith  
2. J. B. Jones  
3. J. C. Brown  
4. J. D. White  
5. J. E. Black  
6. J. F. Green  
7. J. G. Gray  
8. J. H. Hall  
9. J. I. Hill  
10. J. K. King

The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1901. The names are given in alphabetical order of their surnames.

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The following is a list of the names of the persons who have been elected to the office of Justice of the Peace for the year 1901. The names are given in alphabetical order of their surnames.

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3. J. C. Brown  
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5. J. E. Black  
6. J. F. Green  
7. J. G. Gray  
8. J. H. Hall  
9. J. I. Hill  
10. J. K. King

He advised the Commission that the overall feeling of the South Bayshore community was that the Plan was to be commended and that it should be adopted. He believed that the Plan would help to make the South Bayshore area a viable entity and a part of San Francisco; and he urged that it be adopted together with the amendments which had been recommended by Mr. Steele at the beginning of the hearing.

Reuel S. Brady, 1130 Gilman Avenue, stated that the people in the southeast section of San Francisco had worked together for three years in preparation of the South Bayshore Plan with the belief that the Plan would help all people including the rich, those of medium income, and the poor. He emphasized that the goals stated in the Plan had been developed not by the staff of the Department of City Planning but by the people living in the neighborhood; and he believed that the Plan would give meaning, purpose, and integrity to the area. In conclusion, he stated that it was his hope that all of the various neighborhoods in the southeast corner of the City could cooperate so that construction of a "little Riviera" could be achieved in that area.

Bill Walters, representing the Visitacion Valley Improvement Association, stated that most of the residents of his neighborhood are working people; and he emphasized that the neighborhood could have had a much larger representation if a night meeting had been scheduled by the Commission for discussion of the Plan. His organization was in favor of postponing any decision on the Master Plan until such time as the scavenger companies, owners of the Candlestick Cove area, had completed their current feasibility study for future development of the property; and, in any case, it was hoped that the existing industrial zoning of the Candlestick Cove area would be retained. Mr. Walters also remarked that a large number of trucks bringing dirt from BART and other development projects in the City to be dumped into the Bay had been using Blanken Avenue in Little Hollywood. The trucks create a dangerous situation for small children who are now afraid to cross the street; and the trucks are so huge that they rattle the ground. Under the circumstances, he felt that recommendations should have been made in the Plan to improve the traffic situation in that area.

The Secretary read a letter which had been received jointly from John Moscone, President of the Golden Gate Disposal Company and Leonard Stefanelli, President of the Sunset Scavenger Company, as follows:

"The Golden Gate Disposal Company and The Sunset Scavenger Company jointly own an approximate 70-acre parcel of land located south of the crest of Bayview Hill, east of the James Lick Freeway and west of Harney Way. Because of this ownership, we are extremely interested in the South Bayshore Study being considered today.

We request that this letter be regarded as our joint statement, and read into the record at your hearing. These comments and recommendations are limited to our property only, and should not be considered as attaching themselves to any other portion of the study area.



We have been involved -- and are involved -- in studies on the potential use of this Candlestick Cove property. These feasibility studies have covered a broad range, including economics, engineering and planning based on potential commercial, industrial and residential use. When these studies are completed, we will have invested more than \$100,000 in this investigation. The preliminary indication of the studies is that a combination of light industrial and commercial use might be more feasible than housing in the immediate future.

However, the studies have not been completed and it is our view that any action on inclusion of this property in the City's master plan should be delayed until all our data are assembled and analyzed and a feasible course of future action determined. We feel that the City Planning Commission should postpone action until that time when the views of the property owners can be thoroughly advanced.

Until several years ago, wartime housing occupied some of the property. In addition the use of dirt for the fill and cover garbage disposal operations at Sierra Point in Brisbane combined to preclude any consideration of other uses of the property. The development studies began as soon as the need to find another site for disposal of solid waste became apparent and before negotiations started with Mountain View for a landfill operation to create a regional shoreline park. Those negotiations have now resulted in an agreement with the City of Mountain View, with disposal of San Francisco's solid waste at the park site to begin in approximately six months.

While we are pleased that the South Bayshore Study proposes development of the Candlestick Cove shoreline for a marine park and we see this open space concept as a major attraction to San Francisco, we do request that this Commission defer action on our property in Candlestick Cove until the studies in progress are completed. We recognize and commend the City Planning Department for the massive effort from which the South Bayshore Plan evolved, and we hope that the Department and this Commission will recognize our investment as property owners in planning studies, and will allow them to be completed.

We feel that this request is not unreasonable as Candlestick Cove is undeveloped land and is somewhat isolated from the other Bayshore areas. The request is made with the full confidence that it will not delay or otherwise impede inclusion of the balance of the South Bayshore Plan into the City's master plan.

We share with the City Planning Department and this Commission the interest in developing this property in a manner which will be a credit to San Francisco. The owners recognize that the south slope of Bayview Hill is the prominent landmark at the southern gateway



to San Francisco and the owners recognize the importance of an attractive visual impact on visitors--and on returning residents--approaching the city on the James Lick Freeway. To this end the owners are dedicated and are hopeful of working closely with the City in making an eye-pleasing southern gateway a reality. Our request for a deferment is based on the need to complete the studies underway to determine the most beneficial--and most attractive--use for the property for the owners and the people of San Francisco alike."

P. Preston Sample, 5300 Third Street, remarked that the Candlestick Cove area is used for industrial purposes at the present time; and, even though industrial zoning of the area were to be retained as requested by the people from Visitacion Valley, no guarantees could be given that industries located in that area would provide jobs for the people who heed them. Mr. Sample stated that he had attended almost every meeting which had been held since the South Bayshore Study was undertaken; and the scavenger companies who own the Candlestick Cove area had sent a representative to the meetings on only one occasion. The scavengers had also been invited to meetings of the Economic Development Committee of the Model Cities Agency; however, they had not attended those meetings either. Under the circumstances, he wondered how much credence should be given to the requests of the scavengers to delay action on the entire South Bayshore Plan until such time as they can decide what they wish to do with their seventeen acres of property. Furthermore, since a Model Cities Agency had been established to help the City Government and the residents of the South Bayshore area to determine what should be done in the area, he thought that the Commission should give serious consideration to the recommendations of that Agency. He was hopeful that the South Bayshore Plan would provide an effective means for making changes in the area; and, for that reason, he hoped that it would be adopted.

Elaine Sundahl, representing the Potrero Hill Residents Council, stated that members of her organization had attended many of the meetings relating to the South Bayshore Study; and, on one occasion, the staff of the Department of City Planning had attended a meeting of the Council to describe the Study. She stated that the members of her organization were somewhat jealous of the Plan, particularly with respect to the shoreline developments which were being proposed; and they hoped that a similar study could be made of their neighborhood in the near future. In the meantime, they urged that the South Bayshore Plan be adopted by the Commission.

George B. Reed, a planner for the Bay Conservation and Development Commission, stated that the South Bayshore Plan had not been reviewed officially by his Commission; however, the staff had filed a detailed statement of comments on the Plan with the staff of the Department of City Planning. The staff of BCDC regarded the South Bayshore Plan as being in general conformance with the policies which had been developed by their Commission; and, with the Plan as a foundation, he felt that members of the BCDC could work with the staff of the Department of City Planning and with residents of the neighborhood towards the development of one of the most delightful neighborhoods in San Francisco.



Robert Katz, representing the Telegraph Hill Dwellers, stated that his organization enthusiastically supported the South Bayshore Plan and that they were delighted that new open spaces and access to the Bay would be provided for the benefit not only of the subject neighborhood but for the City as a whole. He felt that it was wonderful that the staff of the Department of City Planning had worked with residents of the subject neighborhood; and that they had prepared the plan to reflect the desires of people living in the area. He was puzzled, however, by the fact that the opponents to the Plan had suggested that the Plan might result in unfair treatment of black people in spite of the fact that the black people had been involved in the preparation of the Plan and had given it their endorsement. He felt the people who had prepared the Plan were competent to determine their own needs; and he felt that no one else should tell them what they want. He noted that the Director had previously remarked that rezoning of the area will probably not be accomplished for at least nine months; and, while he realized that the estimate was probably realistic, he felt that any steps which could be taken to speed up the process would be all to the good. Mr. Katz also agreed with one of the previous speakers that it would be desirable to have more open space in the neighborhood than had been recommended in the Plan; and he suggested that it might be possible to achieve more open space for the area via zoning. In conclusion, he urged the Commission to make every effort to spare the subject neighborhood from the effects of the proposed Southern Crossing.

Mark White, 166 Blythdale Avenue, urged the Commission not to delay action on the Plan as had been requested by the representatives of Visitation Valley. He stated that he lives in a rented apartment in the Eichler Towers; and he believed that the proposed Plan would create a better neighborhood for his children. He felt that the proposal for residential development in the Candlestick Cove area was interesting; and he stated that he would like to have an opportunity to live in that area himself. In conclusion, he remarked that many attempts have been made to resolve the problems between Visitation Valley and the Sunnyvale housing project; but no agreements had ever been reached as a result of those efforts.

Ronald Lockwood, 192 DeSoto Street, stated that he had lived in the Hunters Point-Bay View district all of his life; and he wanted to see nice houses constructed in the area that the neighborhood could be proud of instead of "cracker boxes".

Emory Curtis, 1437 Revere Avenue, identified himself as a member of the Hunters Point-Bay View Model Neighborhood agency. He complimented the staff of the Department of City Planning on the Plan which had been prepared to guide the orderly growth of the neighborhood; and he urged that the Plan be adopted immediately. He was confident that the Plan would improve the traffic pattern in the neighborhood and that it would help to stop the deterioration of the commercial areas along Third Street; and he was most



impressed by the recommendations which would create access to the waterfront and which would provide facilities designed to attract people to the water. Particularly in view of the concern which residents of Little Hollywood had expressed about the truck traffic on Blanken Avenue, he felt that designation of Candlestick Cove for industrial uses would make no sense whatsoever; and he favored the recommendations of the staff of the Department of City Planning for development of housing and a marina in that area. Mr. Curtis indicated that he had been disturbed by the racial overtones and undertones during the course of the present hearing, and he felt that the objections which had been raised regarding the proposal for housing in the Candlestick Cove area had been made because people feared that black people would live in those houses. To an extent he understood that fear which was directly related to the way in which the City has allowed certain neighborhoods to deteriorate; however, he was extremely hopeful that adoption of the proposed Plan would help to reverse that process.

Nela Campbell, 1010 Gough Street, represented the Family Service Agency. She stated that her Agency is greatly concerned about the severe housing crisis in the City because housing affects family life and the quality of housing affects the quality of family life; and, in that regard, her agency supported the previously stated policy of the Department of City Planning that every San Franciscan has a right to housing at a price which he can afford to pay. She agreed with the previous speakers that it was wonderful to see a plan being presented which had been worked out with residents of the neighborhood which it would affect; and she felt that the Director and his staff should be complimented on the results of the study.

George Davis, representing the Martin Luther King movement, stated that he lives in Sunnydale and that he wished to support adoption of the South Bayshore Plan as recommended by the staff of the Department of City Planning. He stated that the representatives of Visitacion Valley who were opposing the Plan had blocked every project which had been designed to help the four thousand people living in Sunnydale; and, despite the claims made by the representatives of Visitacion Valley, the Valley is composed entirely of white people with no black people whatsoever. In his opinion, Visitacion Valley could be compared to "Visitacion, Mississippi"; and he believed that the representatives of Visitacion Valley had opposed the South Bayshore Plan only because they would not receive any financial compensation from it. He urged that the Plan be adopted.

Mr. Brajkovich stated that he had been born poorer than most of the people living on Hunters Point; and he believed that if those people would study as hard and sacrifice as much as he had, they could all be as rich as one of the members of the City Planning Commission is today. After coming to the United States, he had studied to see what people have to do to become successful; and then he had done the same thing. He stated that he sincerely believed that the concentration of poor people in ghetto areas is not a good thing; and he assured the Commission that he would like to see all of San Francisco be as much theirs as his.



Mrs. Westbrook stated that she hoped that the time would come when people would stop competing with each other and start to work towards the creation of a better city for all people, both poor and rich. She stated that she lives in public housing; but she did not favor construction of any more public housing in the area. However, she did hope that houses could be built in the area which would enable people to enjoy the dignity of owning their own homes. In conclusion, she stated that she had not heard a single black person from Visitacion Valley remark on how wonderful it is to live in that beautiful integrated area.

The Director indicated that he wished to make a few brief comments concerning remarks which had been raised during the course of the hearing. With regard to the proposed Southern Crossing bridge, he noted that the South Bayshore Plan had been prepared with the bridge being considered as a "given"; however, if a decision should be made not to construct the bridge, the Plan could be modified accordingly. With regard to the newspaper article mentioned by Mr. Schindel, the Director stated that he had not read the article and that he had not been responsible for it. Mr. Schindel had also mentioned the desirability of providing additional open space for Visitacion Valley; and he indicated that he was in agreement with that objective and that he would continue to work toward its achievement. Various speakers had objected to the construction of any additional low-income housing in their neighborhood; and he remarked that the staff of the Department of City Planning had recommended that a statement be contained in the Plan specifying that no public housing should be constructed in the Candlestick Cove area. Some mention had been made of the need for more jobs, and he pointed out that many new areas for industrial development were being recommended in the Plan. Mr. Brown had suggested that the Community Center proposed for the site of the South San Francisco Opera House would be inadequate to serve the needs of the area; and, in that regard, the Director remarked that while that community center would be the first to be undertaken, other centers had been indicated in the Plan. Mr. Brajkovich had suggested that new housing for the poor should not be constructed in ghetto areas but that it should be distributed throughout the whole of San Francisco; and, while he was generally in agreement with that position, he pointed out that it did not follow that the various areas designated in the proposed Plan for residential use should not be used residentially. The suggestion had also been made that the area south of Bayview hill should not have been included as part of the study area; however, since the Bayshore Freeway serves as a major barrier between Candlestick Cove and Little Hollywood, he disagreed with that point of view. With regard to truck traffic on Blanken Avenue, he remarked that the traffic patterns proposed in the South Bayshore Plan would achieve a solution to the problem. He pointed out, however, that development of industrial rather than residential uses in Candlestick Cove would only make the traffic situation in Little Hollywood worse instead of better. He stated that the principal purpose of the South Bayshore Study had been to prepare a comprehensive plan for people; and the people in the area had understood the purposes of long-range planning better than people in other areas of the City. Under the circumstances, he did not feel that the



the Commission should delay action on the Plan; and, therefore, he recommended adoption of a draft resolution which he had prepared for adoption of the Plan as an amendment to the Master Plan of the City and County of San Francisco.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6406 and that the South Bayshore Plan be adopted as an amendment to the Master Plan of the City and County of San Francisco.

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, February 26, 1970.

The City Planning Commission met pursuant to notice on Thursday, February 26, 1970, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: James S. Kearney, President;  
Walter S. Newman, Vice President;  
Mortimer Fleishhacker,  
Mrs. Charles B. Porter, and  
John Ritchie, members of the  
City Planning Commission

ABSENT: James K. Carr and Thomas J. Mellon,  
members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean L. Macris, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation; Richard Hedman, Planner V, Urban Design; James Paul, Planner III, Housing Specialist; Dennis Ryan, Planner II, Urban Design; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that he had attended a meeting in the Sunnyside district on Wednesday night to discuss the desirability of undertaking a Federally Assisted Code Enforcement Program in the area. He stated that a mixed response to the program had been received from members of the audience.

The Director advised the members of the Plan Implementation Committee (Commissioners Fleishhacker, Finn, and Porter) of a meeting scheduled for next Thursday, March 5, at 1:00 p.m.

The Director reported on a meeting of the Urban Design Citizens Advisory Committee on Wednesday at which Urban Design Study Report No. 4 had been presented.

Commissioner Porter suggested that the chairman of the various committees of the Commission should report on their meetings to all of the members of the Commission.

The Director noted that the staff of the Department of City Planning had spent a considerable amount of time approximately one and one-half years ago working with residents and organizations in Chinatown to develop a proposal

1. The Committee has received information that the following individuals are active in the Communist Party of the United States of America (CPUSA) and its front organizations:

2. The Committee has also received information that the following individuals are active in the CPUSA and its front organizations:

- 3. The Committee has also received information that the following individuals are active in the CPUSA and its front organizations:
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- 9. The Committee has also received information that the following individuals are active in the CPUSA and its front organizations:
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11. The Committee has also received information that the following individuals are active in the CPUSA and its front organizations:

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for preparation of a comprehensive plan for that area. At the time, there had been general concurrence in the community that a comprehensive plan would be desirable; and, as a result, the City Planning Commission had submitted a budget request for funds for the project. However, the funds had not been approved; and, subsequently, a further request for funds for a full-time liaison person to work with Chinatown had also been disapproved. In the interim, the matter had been discussed by the Board of Supervisors on a number of occasions; but the Board had always recommended that other sources of funds for the study should be found. Recently, he had been advised that limited funds for Chinatown planning might be available under the 701 Program of the Federal Government in the amount of approximately \$50,000. Those funds would have to be supplemented with a \$25,000 contribution from the City through the Board of Supervisors or through some other source. The total amount of money then available would not be sufficient to pay for the preparation of a comprehensive plan for Chinatown; however, the funds could be used to undertake a modified planning project which would focus on two urgent concerns of the community, housing and recreation. He estimated that such a study would take approximately one year. In conclusion, he recommended the adoption of a draft resolution which had been prepared for the Commission to endorse the modified planning project and to authorize the Director of Planning to explore the possibility of financing the modified project through State and Federal funds.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6487.

#### PRESENTATION OF URBAN DESIGN STUDY REPORT NO. 4: EXISTING FORM AND IMAGE

The Report, which is available in the files of the Department of City Planning, was presented and summarized by Richard Hedman, Planner V, Urban Design. Following the presentation, he responded to questions raised by members of the Commission.

At the conclusion of the Discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the staff of the Department of City Planning be complimented on the Report which had been presented. The Commission also encouraged the scheduling of further review and consideration of each section of the various Urban Design Surveys by the staff and Commission over the remainder of the year for the purpose of developing a working familiarity with the results of the surveys.

The meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, March 5, 1970.

The City Planning Commission met pursuant to notice on Thursday, March 5, 1970, at 2:15 p.m. at 100 Larkin Street

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Dean L. Macris, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation; Robert Passmore, Assistant Zoning Administrator; Richard Gamble, Planner IV; Daniel Sullivan, Planner III; James White, Planner III; Frederick Mock, Planner II; Patricia Sheehan, Planner II; Walter Stoll, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of February 5, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that street reconstruction work in the vicinity of the BART station areas on Mission Street is ready to go out to bid.

The Director reported that the Board of Supervisors had voted 6 to 5 on Monday to sustain the City Planning Commission's disapproval of the application for expansion of Blum's Coffee shop in the Fairmont Hotel.

The Director informed the Commission that the Planning and Development Committee of the Board of Supervisors meeting on Tuesday, had considered the zoning and height limit proposals for the Northern Waterfront area which had been recommended by the City Planning Commission. At the conclusion of the meeting, the matter had been taken under submission.



The Director stated that the Finance Committee of the Board of Supervisors, meeting on Wednesday, had recommended a "do pass" on the Joint Powers Agreement for Rapid Transit extension to the Airport and had requested the Public Utilities Commission to determine if it could provide funds in the amount of \$50,000 to meet the City's cash share for a scope of project study. If the funds cannot be provided by the Public Utilities Commission, the City Planning Commission will be requested to submit a supplemental budget request for the funds. The Director also distributed copies of a memorandum which he had prepared to bring the Commission up to date on steps which have been taken towards achieving an extension of BART to the Airport.

The Director advised the Commission that the staff of the Department of City Planning, at the request of the Bayview-Hunters Point Model Neighborhood Agency, is gathering information for submission of an application to the Federal Government for planning funds to be used by the Model Neighborhood Agency. The planning activities to be proposed in the application will be carried out over a five-year period at an annual cost of \$58,000.

The Director distributed copies of a draft resolution which he had prepared to authorize the Zoning Administrator to hold the required hearings for nonconforming uses which are eligible for extension beyond their scheduled expiration date of May 2, 1970, through authorization as conditional uses by the City Planning Commission. He indicated that the Zoning Administrator would report his findings and recommendations to the Commission for its decision in each case following the hearings. After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6488.

The Director then distributed copies of three draft resolutions which he had prepared to authorize members of the staff and Commission to attend meetings in other cities. After discussion, it was moved by Commissioner Mellon, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6489 be adopted authorizing Mrs. Porter and Mr. Jacobs to attend the annual conference of the American Society of Planning Officials in New York. Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6490 be adopted authorizing Mr. Jacobs and Mr. Macris to attend the annual meeting of the California Chapter of the American Institute of Planners in San Diego. Finally, it was moved by Commissioner Mellon, seconded by Commissioner Newman, and carried unanimously that Resolution No. 6491 be adopted authorizing Miss Patricia Sheehan to attend a meeting on hospital planning in Los Angeles which is being sponsored jointly by the American Institute of Architects and the California Hospital Council.



The Director then distributed copies of a draft resolution which he had prepared to authorize specific members of the staff of the Department of City Planning to sign revolving fund checks. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6492.

The Director reminded the members of the Comprehensive Plans Committee (Commissioners Newman, Kearney, Porter) of a meeting scheduled for Friday, March 13, at 2:00 p.m.

The Director reported that he had attended a meeting in the Upper Ashbury district on Wednesday night to discuss the desirability of undertaking a Federally Assisted Code Enforcement program in the area. The response was generally favorable.

After relinquishing the Chair to Vice President Newman, President Kearney noted that the State Legislature had passed a Conflict of Interest Bill providing that all Elective or Appointive State and City officials and members of public commissions shall list all of their assets over \$10,000; and he indicated that various amendments which would weaken or destroy the Bill are presently under consideration by the State Legislature. Since he felt that the basic intentions of the original legislation were good, and since he felt that public bodies such as the City Planning Commission should oppose any amendments designed to weaken the Bill, he had prepared a draft resolution for consideration by the members of the Commission. The draft resolution read as follows:

"WHEREAS, A conflict of interest bill (AB 325 - CONFLICTS OF INTEREST BILL) was passed by the State Legislature in 1969 that provides that all elective or appointive state and city officials and members of public commissions shall list all assets over \$10,000; and

WHEREAS; The deadline for filing such lists of personal assets is APRIL 14TH, 1970; and

WHEREAS, At the present time, the State Legislature has under consideration legislative proposals that would weaken or destroy the intent and purposes of this bill;

THEREFORE BE IT RESOLVED, The San Francisco Planning Commission shall notify Mayor Joseph Alioto and the members of the Board of Supervisors that this Commission, is opposed to any amendments or alternative proposals that would weaken the effect of the existing conflict of interest bill and further, that in the best interest of clean and decent government, we urge the Mayor and the Board of Supervisors to support a policy of full financial disclosure of assets on the part of all public servants in order to prevent any conflict of interest and to protect the public welfare."

THE FIRST PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

THE SECOND PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

THE THIRD PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

THE FOURTH PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

THE FIFTH PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

THE SIXTH PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

THE SEVENTH PART OF THE HISTORY OF THE  
REIGN OF CHARLES THE FIRST, KING OF  
ENGLAND, WAS WRITTEN BY  
JAMES HARRISON, ESQ. OF  
THE MIDDLE TEMPLE, ESQ.

3-5-70

Commissioner Mellon stated that the original Bill had been vigorously opposed by the League of California Cities because many people serving on commissions or councils for a small amount of compensation would be discouraged from accepting such positions not so much because of the required disclosure of assets but because the form of the disclosure would provide too much personal information to business competitors, neighbors, and other associates.

Commissioner Porter stated that she had known many fine public servants who would probably not wish to become involved in the detailed disclosures of financial assets required by the legislation; and she felt that their leaving public office would be a loss for the City. In any case, she did not believe that it should be the function of the City Planning Commission to become involved in matters under consideration by the State Legislature.

Commissioner Newman stated that he agreed with Commissioner Porter that the Commission should not take a position endorsing or objecting to State-wide legislation; rather, he felt that the individual members of the Commission should either comply with the legislation or else resign from public office.

President Kearney stated that he had reviewed the draft resolution with the City Attorney and had been advised that it would be perfectly proper for the Commission to take an interest in the matter and to advise the Mayor and the Board of Supervisors of its position regarding the legislation. He moved that the draft resolution be adopted, and the motion was seconded by Commissioner Finn.

Commissioners Fleishhacker and Ritchie agreed that they had no objection to making a declaration of the names of companies in which they hold an investment of more than \$10,000; however, they did not feel that the specific amount of assets in each instance should be a matter of public record.

Commissioner Mellon stated that the existing legislation is so unclear in its requirements that even the League of California Cities had not been able to interpret the Bill; and he indicated that it was questionable whether the proposed amendments to the Bill would weaken or strengthen the legislation.

Commissioner Finn suggested that the following phrase be deleted from the Resolve of the draft resolution: ".is opposed to any amendments or alternative proposals that would weaken the effect of the existing Conflict of Interest Bill and further, that..."

Commissioner Fleishhacker suggested that the third WHEREAS clause of the draft resolution might also be changed to read as follows:

"WHEREAS, At the present time, the State Legislature has under consideration legislative proposals that would amend this Bill."



When the question was called on the proposed amendments to the draft resolution, the Commission voted 5-2 to make the amendments which had been suggested by Commissioners Finn and Fleishhacker. Commissioners Finn, Fleishhacker, Kearney, Newman, and Ritchie voted "Aye"; Commissioners Mellon and Porter voted "No".

When the question was called on the principal motion to adopt the draft resolution, the Commission voted 4-3 to adopt the Resolution as amended as City Planning Commission Resolution No. 6493. Commissioners Finn, Fleishhacker, Kearney, and Ritchie voted "Aye"; Commissioners Mellon, Newman, and Porter voted "No". The text of the resolution as adopted is as follows:

"WHEREAS, A conflict of interest bill (AB 325 - CONFLICTS OF INTEREST BILL) was passed by the State Legislature in 1969 that provides that all elective or appointive state and city officials and members of public commissions shall list all assets over \$10,000; and

WHEREAS, The deadline for filing such lists of personal assets is April 14, 1970; and

WHEREAS, At the present time, the State Legislature has under consideration legislative proposals that would amend this bill;

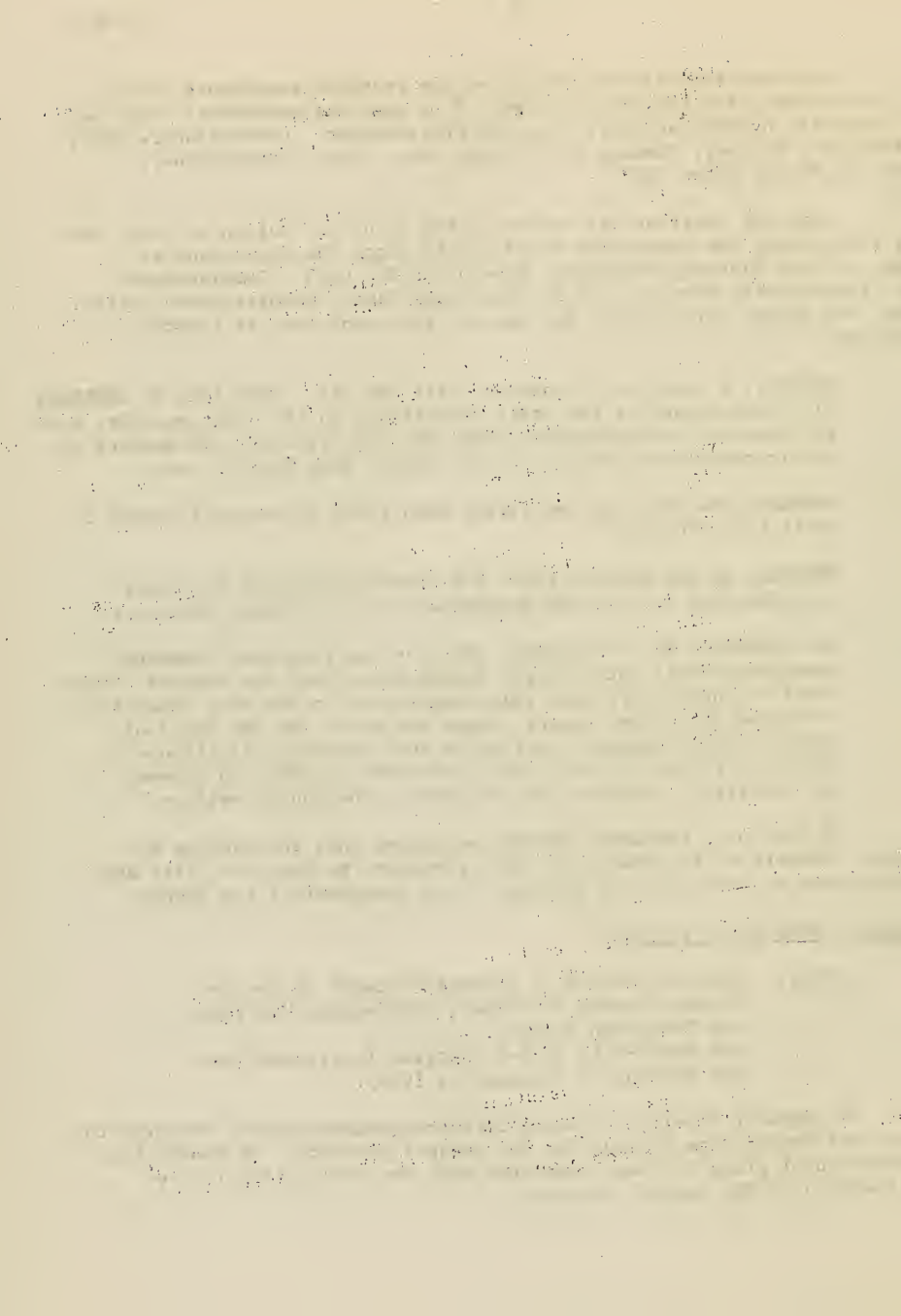
NOW THEREFORE BE IT RESOLVED, That the San Francisco Planning Commission shall notify Mayor Joseph Alioto and the members of the Board of Supervisors that this Commission, in the best interest of clean and decent government, urges the Mayor and the Board of Supervisors to support a policy of full financial disclosure of assets on the part of all public servants in order to prevent any conflict of interest and to protect the public welfare."

At 3:00 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:10 p.m. for hearing of the remainder of the agenda.

3:10 p.m. - Room 282, City Hall

ZM70.3 Various parcels of property located in the two blocks bounded by Folsom, Nineteenth, Harrison, and Twentieth Streets.  
M-1 and C-M to an R-4 district (postponed from the meeting of February 5, 1970).

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He stated that no architectural plans had been submitted with the application for re-classification of the subject property.



Donald S. Kavanagh, the applicant, stated that he had had a "soul searching" session with the Mission Coalition; and, as a result, he was prepared to withdraw the subject application.

Reverend O. F. Brown, representing the Mission Coalition, stated that his organization had worked quite closely with Mr. Kavanagh and that they were interested in his proposal for private construction of low- and middle-income housing on the site. However, because of certain problems which were foreseen, they had suggested that the application be withdrawn.

Commissioner Fleishhacker asked if approval of the withdrawal request would make it impossible for the applicant to file a new application. Mr. Steele replied in the negative, indicating that a new application could be submitted if the subject application were to be withdrawn without prejudice.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 6494 be adopted and that the request for withdrawal of Application ZM70.3 be approved without prejudice.

ZM70.5    524 Thirtieth Avenue, east line, 134.5 feet  
          south of Geary Boulevard.  
          R-3 to an R-4 district.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property, noting that the surrounding neighborhood is developed primarily with single-family homes. Within the subject block, 70 percent of the properties are developed with single-family homes and 20 percent of the properties are developed with two-family dwellings; therefore, 90 percent of the properties in the block are developed for single- or two-family use. In addition to allowing construction of a greater number of dwelling units on the subject site, the R-4 zoning being requested would allow a maximum lot coverage of 75 percent which would be 10 percent more than that allowed on an interior lot under R-3 standards. In conclusion, he stated that the applicant had filed a building permit application for construction of 26 units on the subject property.

Commissioner Fleishhacker noted that the case report which had previously been distributed to members of the Commission had indicated that a total of 42 units could be developed on the property under R-4 density standards while only ten units could be developed if the total lot proposed for construction were to be developed at the maximum R-3 density. Under the circumstances, he wondered how the applicant had decided to file a permit application for 26 units. Mr. Steele replied that a portion of the applicant's property is already zoned R-4; and, if the subject application were to be approved to include the entire site in the R-4 district, 42 units would be permitted on the property. If the entire parcel of property were zoned R-3, however, only ten units would be permitted on the site. If the combined



R-3 and R-4 zoning of the site were to be retained, approximately 25 units could be constructed on the property.

Commissioner Fleishhacker asked how many units could be constructed in each of the districts. Mr. Steele replied that nineteen or twenty units could be constructed on the R-4 portion of the site and that five units could be constructed on the R-3 portion of the site.

George Choppelas, attorney for the applicant, agreed that the present combined zoning of the subject site is confusing; and he believed that the people who were present to oppose the application did not clearly understand the proposal. In order to clarify matters, he explained that the present zoning of the property would allow his client to construct a six-story building with nineteen units on the R-4 portion of the property and a three-story building with five units on the R-3 portion of the site. However, his client preferred to construct only one four-story building with 26 units on the property; and, for that reason, he had requested that the entire site be included in the R-4 district so that the single four-story building would be permitted. Mr. Choppelas stated that his client had held a meeting on the site to describe the proposal to residents of the neighborhood; and he had made it clear that he intended to construct only 26 units on the property in spite of the fact that 42 units would be permitted under the requested R-4 zoning.

Mrs. Frank Corvin, 521-29th Avenue, stated that the subject property has not been maintained and that it is infested with rats. Under the circumstances, she favored construction of a building on the property regardless of its height. Since a four-story building would not be much higher than her own building, she felt that it would be appropriate for the site.

Mrs. Prepouses, 526 Thirtieth Avenue, stated that the portion of the site which is presently zoned R-4 had previously been owned by the Church located on the corner; and when she had found out that the applicant intended to develop the site with an apartment building, she had circulated a petition in opposition to the proposal. Mrs. Prepouses noted that two schools and a church are located in the immediate vicinity of the subject site; and, since those facilities do not provide off-street parking spaces, parking has become a severe problem in the neighborhood. Under the circumstances, she felt that construction of an apartment building catering to tenants who would bring a great deal of additional traffic to the neighborhood would not be desirable. In conclusion, she stated that the petition which she had circulated contained the signatures of 50 property owners and residents in opposition to the subject application.

Mr. Prepouses, son of the previous speaker, presented a seven-page petition which had been signed by property owners and residents of the subject neighborhood. He stated that the owners of 51 parcels of privately-owned property had been notified of the present hearing; and he indicated that



approximately 60 percent of the owners or tenants of those properties had signed the petition in opposition to the application. He stated that the residents of the neighborhood were opposed to the subject application because of the parking congestion which already exists in the area and because of the number of accidents which have occurred, particularly on Thirtieth Avenue which has a grade of 12.7 percent. He stated that the property had originally been zoned R-4 because it was owned by the church. However, since the church had been constructed on the corner, the rear portion of the R-4 lot had remained vacant, finally being purchased by the applicant. Mr. Prepouses pointed out that the R-4 property owned by the church had fronted on Geary Boulevard; however, the R-4 property which had been purchased by the applicant fronts solely on Thirtieth Avenue where all other parcels of property are zoned R-3. Given the circumstances of the case, he did not feel that it would be appropriate to extend the R-4 district further along Thirtieth Avenue by approval of the subject application.

The Secretary called attention to letters opposing the subject application which had been received from Louise H. Pratt, 7140 Geary Boulevard; Edythe G. Manheim, 570 Thirtieth Avenue;;Mrs. Gordon, 578 Thirtieth Avenue; and Mignin Blood, 574 Thirtieth Avenue.

Mrs. Gordon, 578 Thirtieth Avenue, stated that parking congestion in the subject neighborhood is such a problem that she had called the police on a number of occasions to complain about cars blocking her driveway. She, also, emphasized that the property owned by the applicant which had previously belonged to the church on the corner no longer has frontage on Geary Boulevard; and, as a result, she felt that it should not be used for construction of an apartment building. She stated that property owners in the area had invested in the neighborhood because of its single-family character; and construction of one apartment building in the block would inevitably encourage the construction of others. Under the circumstances, she hoped that the subject application would be disapproved.

After submitting photographs of the subject site, Mr. Choppelas questioned whether the people who had signed petitions in opposition to the application had actually known what they were signing since he, also, had circulated a petition in favor of the application and had obtained the signatures of 29 people living on 29th and Thirtieth Avenue and Geary Boulevard favoring the proposal. While the problem of parking seemed to be a major concern to residents of the area, he pointed out that one parking space would be required for each residential unit to be constructed on the property regardless of the zoning; and, while it is true that teachers at the nearby school do park in the area during the day, he felt that adequate parking is available during the evening hours. He noted that the subject property had been neglected; and, during the period in which it had been owned by the church, it had not been carried on the tax roles. Even if the zoning of the property were not to be changed as requested, approximately the same number of dwelling units could be constructed on the site. However, since a single four-story building would have a more attractive appearance than two separate



buildings of six and four stories in height, he hoped that the subject application would be approved so that the single, four-story building could be constructed.

Mr. Steele recommended that the subject application be disapproved. He noted that existing development in the area is much less dense than would be permitted by the existing zoning. He also remarked that the subject site faces onto Thirtieth Avenue, a local neighborhood street, whereas all existing R-4 properties in the area face on Geary Boulevard, a major thoroughfare; and he did not feel that it would be desirable to extend the R-4 district further along the streets which are developed primarily for single-family and two-family use. While rear yard areas of R-3 properties are not allowed to be used for the parking of automobiles, such an arrangement would be permissible under R-4 zoning; and he felt that rear-yard parking would be undesirable in the subject neighborhood. Finally, he remarked that the higher density, higher building bulk coverage, and less usable open space characteristics of the R-4 zoning provisions would allow residential development of the subject site which would be detrimental to the stability of the subject family-oriented neighborhood. After distributing a draft resolution of disapproval which he had prepared, he recommended its adoption.

After further discussion it was moved by Commissioner Newman and seconded by Commissioner Fleishhacker that the draft resolution be adopted and that the subject application be disapproved.

Commissioner Fleishhacker, noting that the properties along Thirtieth Avenue between Geary Boulevard and Anza Street are zoned R-3, wondered if they should not be zoned R-1 or R-2. Mr. Steele replied that the properties should probably be zoned R-2.

When the question was called, the Commission voted unanimously to adopt Resolution No. 6495 and to disapprove the subject application.

ZM70.6    611 Bay Street, south line, 71.50  
              feet west of Columbus Avenue.  
              R-3 to a C-2 district.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property. He advised the Commission that the lot is presently vacant except for a large free-standing billboard which has a termination date of November 21, 1970. He indicated, however, that approval of the subject application would both legalize the existing sign and permit the possible erection of a considerably larger poster panel in the future. Since the subject property is located adjacent to a C-2 district, it has transitional R-3 status entitling it to all principle uses permitted in R-3 districts as well as R-2 transitional uses. A principal office of only one professional person would be a permitted transitional use in an R-2 district.



Mel Dagovitz, representing the applicant, stated that he had given further thought to the application and had determined that the C-2 zoning being requested would be totally incorrect, that it would damage the character of the neighborhood, and that it would defeat the basic purposes of the applicant. He stated that the applicant wished to use the property for a two-story office building which would bring no additional traffic to the area at night and which would insulate the adjacent residential area from the commercial uses along Columbus Avenue. Since such an office building could be authorized as a conditional use if the property were zoned R-4, the applicant had decided to request R-4 zoning for the site instead of the C-2 zoning specified on the application; and, insofar as R-4 zoning is of a lesser density than the C-2 zoning which had been requested, he understood that the proposal for R-4 zoning could be considered by the Commission during the present hearing.

Mr. Steele stated that two members of the staff of the Department of City Planning had given contradictory information to Mr. Dagovitz in interpretation of the City Planning Code. Since the subject property could actually be developed to an R-3.5 density because of its transitional status, and because the R-4 zoning now being requested would allow greater density on the site than the C-2 zone would permit, it was his interpretation that the subject application would have to be withdrawn and that a new application would have to be submitted requesting R-4 zoning for the site before that proposal could be considered by the Commission.

Mr. Dagovitz stated that it would then be his desire to withdraw the subject application.

Mr. Steele stated that there are no properties with R-4 zoning in the vicinity of the subject site; and, under the circumstances, the R-4 zoning which the applicant intended to request would constitute "spot zoning".

Commissioner Porter, noting that the property is subject to a 40-foot height limit, asked if R-4 zoning of the site would permit the applicant to exceed the 40-foot height restriction. Mr. Steele replied in the negative, indicating that specific height limits must be observed even though greater height would ordinarily be permitted by the zoning of a particular parcel of property.

Commissioner Fleishhacker asked if two professional offices could be developed on the subject site without a change of zone. Mr. Steele replied in the negative and specified that only one professional office would be permitted if the R-3 zoning of the property were to be retained.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 6496 be adopted and that the subject application be withdrawn without prejudice.



3-5-70

CU70.5 26 San Juan Street, north line, 125 feet  
west of Mission Street.  
Request for a parking lot for up to twelve  
cars in an R-1 district.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property which has a total area of 2,500 square feet and which is presently developed with a one-family dwelling. He stated that the Homestead Savings and Loan Company, owners of the property, proposed to construct a parking lot with a total of twelve individually accessible spaces plus two spaces in tandem. The parking lot would consist of the parcel under consideration, an adjacent lot which is also in the R-1 district and which is presently being used as a parking lot, and a portion of another lot which is zoned C-2 and which is presently used for parking. The lot would have landscaping along all interior property lines and along the street frontage.

John P. Perry, representing the applicant, stated that there are several banks and savings and loan institutions in the vicinity of the subject site; and, as a result, the area is heavily congested. He stated that additional parking is badly needed in the area; and he did not feel that the proposed parking lot would create any additional hazards.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele agreed that additional off-street parking for the Excelsior district commercial area would benefit both the businesses in the district and residents of the surrounding neighborhood whose curb parking might otherwise be used; and he felt that the subject parcel could be screened in an appropriate manner from residential properties so that it could serve as a buffer between the commercial uses and the adjacent homes. He therefore recommended that the application be approved subject to five specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

Commissioner Fleishhacker asked if the dwelling occupying the subject site is presently occupied. Mr. Perry replied in the affirmative but indicated that the residents of the house would move into a house next door which has been vacant for five months.

Commissioner Ritchie asked what type of fence the applicant proposed to construct around the parking lot. Mr. Perry replied that an open-mesh fence would be installed in conjunction with heavy landscaping; however, if it were the desire of the Commission, redwood slats could be placed in the fence.



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Mr. Steele stated the type of fence to be utilized could be discussed in greater detail by the staff when final plans are submitted for review. He indicated that the staff also wished to investigate further the possibility of narrowing the width of the driveway to the parking lot so that more space would be available for on-street parking.

Commissioner Newman asked if the conditions contained in the draft resolution would be acceptable to the applicant. Mr. Perry replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6497 be adopted and the application be approved subject to the conditions contained in the draft resolution.

CU70.7    295 Fifth Street, northwest corner of  
            Clementina Street.  
            Request for multiple-dwelling, high-rise  
            apartment buildings (approximately two  
            hundred efficiency dwelling units for elderly  
            persons) in a C-3-S district.

R. Spencer Steele, Assistant Director-Implementation, referred to land use and zoning maps to describe the subject property which contains an area of 19,329 square feet. He stated that the applicant, the Roman Catholic Welfare Corporation of San Francisco, proposed to develop two, fourteen-story twin towers on the site which would be connected by a communal recreation and dining area. The towers would contain approximately two hundred efficiency dwelling units for elderly persons; and 41 off-street parking spaces would be provided on the site. He noted that the Commission had previously approved a Conditional Use application for 276 dwelling units for elderly persons to be constructed approximately 150 feet east of the subject site within Redevelopment Project Area D-1; and he noted that a cluster of convenience shopping facilities are located in the vicinity of Fifth and Mission at a distance of only one block from the subject site.

John Minton, architect for the applicant, stated that his client felt that it would be desirable to provide additional housing in the subject neighborhood.

President Kearney asked about the type of apartments which were being proposed. Mr. Minton replied that the buildings would consist of studio apartments with pullman-type kitchens, a bathroom, and combined living and dining space.

President Kearney asked if the apartments would contain a stove and a refrigerator. Mr. Minton replied in the affirmative.



President Kearney then inquired about the probable rental costs of the apartments. Mr. Minton replied that the apartments would probably rent for approximately \$85 a month; however, with Federal subsidies, the individuals occupying the apartments might pay as little as \$40 a month.

Commissioner Porter asked about the dimensions of the studio apartments. Mr. Minton replied that the apartments would measure 13'6" x 24' for a total of 325 square feet of living space.

Commissioner Porter asked if all of the apartments would be "efficiency units" and if they would all be occupied by single people. Mr. Minton replied in the affirmative.

Commissioner Newman asked if recreational areas would be provided. Mr. Minton responded affirmatively and indicated that lounges and a laundry would also be made available.

The Right Reverend Clement J. McKenna stated that it is the opinion of the Redevelopment Agency that all of the people to be relocated from the Yerba Buena Center can be housed without the assistance of the Roman Catholic Welfare Corporation; however, it was his opinion that there is an enormous number of people in San Francisco who will want to avail themselves of the type of housing being proposed. While the facility had been designed primarily for single people, he saw no reason why married couples could not be accommodated. In conclusion, he stated that a letter of feasibility from the FHA is expected in the very near future.

Commissioner Porter stated that she respected the service being performed by the Roman Catholic Welfare Corporation in constructing the proposed building. However, since the building will exist for at least thirty years, and since it would be extremely uncomfortable for more than one person to occupy the small apartments being proposed, she wondered if it would not be possible to provide a few apartments which would be sufficiently large to accommodate two people. Although she acknowledged that the apartments would be a tremendous improvement over the type of space presently occupied by people in the South of Market area, she felt that inclusion of certain amenities in the building would never be regretted in the future by the applicant.

Reverend McKenna stated that the members of his organization were "amateurs" in the field of housing. He indicated, however, that the FHA had felt that the type of units being proposed would be attractive to low-income people such as stenographers who might be working in the Yerba Buena Center in the future.

Mr. Minton stated that the buildings would probably have to contain only efficiency units if the project were to be financially feasible.

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Commissioner Mellon remarked that the proposed project was one of only a few projects which have actually promised to provide low-income housing; and he remarked that the project would meet the immediate problem of providing housing for the single elderly men who are being relocated from the Yerba Buena Center. Under the circumstances, he felt that the application should be approved.

Commissioner Fleishhacker remarked that the number of parking spaces being proposed seemed to him to be very minimal. Mr. Steele replied that 32 parking spaces would be required if the project does not qualify for FHA certification as housing for the elderly; however, if that certification is obtained, the 41 spaces being proposed would meet the City Planning Code requirement for housing for the elderly of one-half the number of parking spaces usually required.

Commissioner Fleishhacker, noting that the building might be used for other purposes in the future, asked if it would not be desirable to obtain an agreement that additional parking spaces would be provided if the use of the building were to be changed. Mr. Steele replied that the use of the building could not be changed unless additional parking spaces were to be provided.

Commissioner Mellon remarked that a great number of parking spaces will be provided in the Yerba Buena Center; and, under the circumstances, he felt that the 41 parking spaces being proposed for the subject project would be sufficient.

Commissioner Fleishhacker asked how the Department of City Planning will determine if the buildings are actually being used for housing for the elderly. Mr. Steele replied that housing projects for the elderly are closely regulated by the Federal Government.

Commissioner Ritchie remarked that a great number of older people are being relocated in the South of Market area; and, even if the units being proposed would contain only 325 square feet of living space, the space would be much better than that which has been available in the past. Under the circumstances, he felt that the outstanding project which was being proposed would have a most beneficial effect.

Mr. Steele recommended that the application be approved subject to three specific conditions pertaining to the density, appearance, and accessory areas of the subject building. He indicated that the three conditions were contained in a draft resolution of approval which he had prepared for consideration by the Commission.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6490 and that the application be approved subject to the conditions contained in the draft resolution.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary

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SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, March 12, 1970.

The City Planning Commission met pursuant to notice on Thursday, March 12, 1970, at 2:00 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President;  
Walter S. Newman, Vice President;  
James J. Finn, Mortimer Fleishhacker,  
and Mrs. Charles B. Porter, members  
of the City Planning Commission

ABSENT: Thomas J. Mellon and John Ritchie,  
members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Robert Passmore, Assistant Zoning Administrator; Ralph Mead, Planner IV (Zoning); Walter Stoll, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Scott Blakey represented the San Francisco Chronicle.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, informed the Commission that the Planning and Development and Finance Committees of the Board of Supervisors, meeting jointly on Wednesday, had recommended a "do pass" to a proposal to consider designation of the Regal Pale Brewery site as a redevelopment project area. If the proposal is approved by the full Board, the Department of City Planning will be requested to prepare a preliminary plan for the area.

The Director then recommended a draft resolution which he had prepared to request a supplemental budget appropriation for the fiscal year 1970-71 in the amount of \$50,000 from the General Fund for use as the City's share of the local cash contribution to the feasibility study of rapid transit to the Airport as proposed in the joint exercise of powers agreement. He stated that the Federal Government would have to give immediate assurance of the availability of the City's cash contribution; and, as a result, the Finance Committee of the Board of Supervisors had suggested that the Public Utilities Commission provide the \$50,000 from its airport operating fund and that the City Planning Commission also prepare a supplemental budget request for the money as a contingency measure in the event that the Public Utilities Commission is unable to provide the funding. Under the circumstances, he recommended adoption of the draft resolution.



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After discussion it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6499.

CONSIDERATION OF PROPOSAL TO DESIGNATE THE COLUMBUS TOWER  
(SENTINEL BUILDING)

AT COLUMBUS AVENUE AND KEARNY STREET AS A LANDMARK  
(Postponed from Meeting of February 19, 1970)

Ralph Mead, Planner IV (Zoning), advised the Commission that the Landmarks Preservation Advisory Board had recommended designation of the Columbus Tower as a landmark based on its special character and its special historical interest and value. He then described the architectural and historic characteristics of the building, noting that the building had served as the "unofficial City Hall" before the imprisonment of Abe Ruef. He stated that the Landmarks Preservation Advisory Board felt that the recent renovation of the building had been done most handsomely; and they felt the building to be particularly valuable in a visual sense as a prominent landmark at the northern gateway to the financial district.

Commissioner Porter asked if the vote of the Landmarks Preservation Advisory Board on the subject building had been unanimous. Mrs. Peter Platt, member of the Landmarks Preservation Advisory Board, replied that one opposing vote had been cast. In response to a further question raised by Commissioner Porter, Mrs. Platt replied that the Landmarks Preservation Advisory Board felt quite strongly about the historical value of the building based on its use as the "unofficial City Hall" during the early part of the century.

Sidney Rudy, attorney for the Kingston Trio Corporation, owners of the subject building, stated that he did not wish to dispute the fact that the building is beautiful; however, he did not agree with the Landmarks Preservation Advisory Board that the building has any real historical significance. In any case, his clients hope to sell the building at an early date; and they felt that the proposed landmarks designation would have a depressing effect on the value of the building. Therefore, he hoped that the building would not be designated as a landmark.

Allan B. Jacobs, Director of Planning, stated that the issues mentioned by Mr. Rudy had been considered by the Landmarks Preservation Advisory Board; and he noted that the Board had recommended that the building be designated as a landmark both because of its architectural quality and because of its historical character. Under the circumstances, he, also, recommended that designation of the building as a landmark be approved.

President Kearney asked if Mr. Rudy had been given opportunity to express his opposition to the designation before the Landmarks Preservation Advisory Board. Mrs. Platt replied in the affirmative but indicated that Mr. Rudy had preferred to send a letter instead of appearing in person. Subsequently,



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he had met with her and Mr. Mead to discuss the effect of landmarks designation; and, at that time, he had been advised that if the existing building were to be demolished, a new building of equal height would not be permitted on the property.

Commissioner Fleishhacker asked if buildings to be designated as landmarks must have historical significance. Mrs. Platt replied that buildings may be designated as landmarks for one or more reasons, including their historical or architectural significance.

Commissioner Porter, remarking that the city has no need to link its history with Abe Ruef, indicated that she did not agree that the building should be considered to have historic merit. Therefore, she intended to abstain from voting on the proposal.

Commissioner Fleishhacker remarked that history is history whether it is good, bad, or indifferent.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 6500 be adopted approving designation of the Columbus Tower (Sentinel Building) as a landmark. Commissioner Porter abstained from voting.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 380256  
HARNEY WAY AND QUEBEC AVENUE  
Proposed Trucking Company Equipment Yard  
in Area Affected by South Bayshore Plan

The Secretary called attention to a letter which had been received from Edward Molkenbuhr, attorney for the owner of the subject property, requesting postponement of the hearing of this matter until the Commission's meeting on Thursday, March 19, 1970.

After discussion it was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that the hearing of this matter be postponed until the meeting of March 19, 1970, as requested by the applicant's representative.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATIONS NOS.  
380451, 380452, AND 380453  
Three Single-family Dwellings on a Single R-1  
Lot Located at 2541-53 Union Street

Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"Scheduled today for review by the City Planning Commission under its discretionary review powers



are building permit applications filed by Vic Breeden seeking approval for three single-family dwellings to be placed on his large R-1 zoned lot on the south side of Union Street midway between Scott and Divisadero Streets, Lot 31 in Assessor's Block 952. A resolution (Resolution No. 6472) calling for discretionary review by the Commission for any building proposals for this lot involving more than one dwelling unit was adopted by the Commission on January 8, 1970.

The three single-family dwellings proposed by the subject applications (No's 380451, 380452 and 380453) would each be four stories high consisting of a two-car garage at ground level, a storage room and guest/play-room on the second level; living room, kitchen and dining areas on the third level and three bedrooms on the fourth level.

Each dwelling would be 22.67 feet wide and approximately 50 feet deep, and except for entrance stairs, the dwellings would be set back 21 to 27 feet from the front property line. The roofs of the dwellings would be approximately 32 feet above the existing grade of the subject lot.

The three dwellings would occupy a lot that is 68.75 feet wide, 137.5 feet deep, and 9453 square feet in area currently occupied by a large single family dwelling. The proposed dwellings would be sold as condominiums.

The subject lot is zoned R-1, and although the lot is too narrow to be separated into three legal lots it may be developed with three dwelling units under Section 127 of the Planning Code, which allows on an R-1 zoned lot one dwelling unit for each 3,000 square feet of lot area. The Code is not entirely clear whether a multiple number of units need be in a single dwelling or may be placed in more than one dwelling. In the past the Zoning Administrator has approved two or more dwelling units on R-1 zoned lots in both the form of a single dwelling and in several dwellings.

The subject lot is in the R-1 District developed predominantly with single-family dwellings that comprises most of the area of interest of the Cow Hollow Improvement Club and the Presidio Heights



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Improvement Club running generally from Pacific Avenue to Filbert Street and from Lyon Street to Pierce and Steiner Streets. However, only the block of Union Street between Divisadero and Scott Streets is zoned R-1, as R-2 and R-3 districts extend along Union west of Divisadero, and an R-3 district extends along Union east of Scott. Prior to 1949 the area in the immediate vicinity of the subject lot was zoned Second Residential.

In general, lots surrounding the subject vicinity can be characterized as large, low-coverage lots with older dwellings, detached in appearance and with large yards. However, several lots on the east side of Divisadero are occupied by two-family dwellings and the southeast corner of Union and Divisadero is occupied by a six-unit dwelling. The southwest corner of Scott and Union Streets is occupied by two dwellings containing a total of five units, and across the street is a four-unit dwelling.

In connection with proposed razing of the existing dwelling on the subject lot and the construction of three new dwelling units, a variance application, VZ69.50 for a lot width variance to allow resubdivision of the subject lot into three lots, each having a width of 22.916 feet where a width of 25 feet is required by the City Planning Code, was heard but not decided, by the Zoning Administrator on November 19, 1969. The applicant, architect for the owner of the subject lot, subsequently withdrew his application. An application seeking reclassification of the subject lot from R-1 to R-1-D, a zoning district allowing only one dwelling unit per lot, filed by the Cow Hollow Improvement Club was denied by the Planning Commission on January 8, 1970, because the proposed reclassification would be inconsistent with the existing development of the subject neighborhood, and would constitute a spot zone of questionable legality. In response to a letter signed jointly by the presidents of the Cow Hollow Improvement Club, the Presidio Heights Improvement Club, the Presidio Heights Association of Neighbors, the Russian Hill Improvement Association and the Sunset Heights Improvement Club requesting an amendment to the City Planning Code that would prohibit more than one dwelling unit on an R-1 zoned lot the Commission initiated action to consider such an amendment of the City Planning Code. The hearing has been scheduled for March 19, 1970."



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Mr. Passmore also displayed a model of the proposed development and described final plans which had been submitted for the buildings.

Allan B. Jacobs, Director of Planning, remarked that the Commission, after hearing remarks from people present in the audience, might wish to postpone action on the matter until its hearing on proposed amendments to the City Planning Code affecting the number of dwelling units permitted on a single lot in an R-1 district, scheduled for the meeting of March 19, 1970, has been concluded.

Atherton Phleger, attorney for the applicant, emphasized that the Commission had previously disapproved an application filed by the Neighborhood Association for reclassification of the subject property from R-1 to R-1-D on the basis that the R-1-D zoning being requested would constitute "spot zoning". The decision now to be made by the Commission would determine whether the building permits would be issued or denied; and he felt that the decision should be made on the merits of the application and that it should not be related to the Commission's action on the proposed amendments to the R-1 provisions of the City Planning Code which would not affect the subject property. Commissioner Porter asked if Mr. Phleger objected to having the Commission postpone action on the matter at the conclusion of the present hearing. Mr. Phleger replied in the affirmative and indicated that he felt that the Commission should act on the matter at the conclusion of its hearing, "sink or swim". He believed that the legality of the applications which had been filed was not in question. Furthermore, since the Neighborhood Association had already tried to block construction of the proposed buildings by filing an application for reclassification of the property which had been disapproved by the Commission, and since Section 306.5 of the City Planning Code provides that upon the disapproval of a reclassification request the Commission shall not reconsider the same matter for a period of one year, he felt that the present hearing was improper. Mr. Phleger noted that Section 127 of the City Planning Code, which permits construction of more than one dwelling unit on R-1 properties under certain circumstances, had previously been the subject of special consideration by the Commission; and he indicated that he had familiarized himself with previous actions taken by the Commission interpreting that section of the Code. Approximately one year ago the Commission had considered a proposal to convert an existing single-family homes into multiple dwelling units. That application had been disapproved by the City Planning Commission; and, in a letter subsequently addressed to the Superintendent of the Bureau of Building Inspection, Mr. Steele had explained the reasons for the City Planning Commission's action as follows:

"The City Planning Commission has reviewed with me Sections 127 and 202.1(b) of the City Planning Code as they would relate to this building and have advised me that the intent of these sections would not permit the conversion of the existing single-family dwelling at the subject site to a two-family



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dwelling in the manner proposed under the building application. Although the density of the building would be permitted under Section 127, the intent of Section 202.1(b) would be to have row-type single-family dwellings as a principle permitted use in the R-1 district which could not be accomplished through the conversion of the existing building."

Mr. Phleger stated that Mr. Passmore had subsequently represented the staff of the Department of City Planning at a hearing before the Board of Permit Appeals and had interpreted Section 127 of the City Planning Code to apply to new construction only; and he, also, had stated that the intent of the provision should be to encourage the development of townhouses rather than buildings with one dwelling unit above another. Mr. Phleger emphasized that his client proposed to construct row type single-family townhouses on the subject property; and he felt that the buildings being proposed should be accepted as being in conformity with the intent of Section 127 of the City Planning Code as previously interpreted by the Commission and members of its staff. Mr. Phleger stated that he realized that the Commission did have the power to prohibit issuance of the building permits being sought by his client; however, in doing so, he felt that it would have to find that the proposed use would be incompatible with or detrimental to the health, safety and welfare of the neighborhood. In that regard, he emphasized that the proposed buildings would be single-family row houses of the type generally constructed in R-1 districts. And, while three units were being proposed instead of the two units which would be preferred by the neighborhood association, he noted that the same type of land use would be involved for three units as for two. In any case, while the subject neighborhood is zoned R-1, other parcels of property located in the vicinity have been developed with apartment houses or with multiple-unit buildings. Although Commissioner Porter had voted against disapproval of the application for reclassification of the subject property from R-1 to R-1-D on January 8, 1970, she had earlier raised a question as to whether it would be appropriate to place the property in an R-1-D zoning district "since other properties in the area presently developed with single-family homes have a much lesser width". In conclusion, Mr. Phleger stated that it was his feeling that the subject neighborhood would be improved rather than detrimentally affected by construction of the proposed buildings; and, in any case, he felt that it was obvious that the type of construction being proposed would have to be approved eventually for certain very large parcels of R-1 property in the city.

At this point in the proceedings, Commissioner Finn arrived and assumed his seat at the Commission table.

Raymond Haas, representing the Cow hollow Improvement Club, stated that he had no objection to having the representatives of the applicant proceed with their presentation; however, he hoped that the opponents would be given adequate time to present their case upon conclusion of the presentation being made on behalf of the proponents.



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Sherwood Stockwell, architect for the applicant, advised the Commission that it would be possible to construct two dwelling units on the subject property which would have the same height, bulk, and land coverage as the three units being proposed; furthermore, he pointed out that the proposed buildings would have approximately the same height and bulk as a building already located on an adjacent property. He stated that he was sympathetic with the fact that the building presently occupying the site has some historical significance; and, while he believed that the owner of the building would probably be happy to sell the property to anyone who would be willing to preserve it as a monument, his firm had determined that it would be economically prohibitive to remodel the building into a useful dwelling. Mr. Stockwell remarked that his firm had designed a series of row houses on Union Street approximately two blocks from the subject site which had won at least three awards including the only Governor's award which had been given for a residential building located in a city. In that case, the buildings had been constructed on lots with a width of only 17 and 1/2 feet. While the neighborhood association opposed the three units presently being proposed since they would be located lots with a width of less than 25 feet, Mr. Stockwell felt that the row houses which had been constructed on Union Street had demonstrated that there is no "magic" in 25-foot wide lots. Since the subject lot is located on a main bus line, he felt that it would not be a bad location for a higher concentration of people. He did not believe that the proposed development would be of tremendous importance with regard to the tax rolls; however, while some people had expressed the opinion that the subdivision of large lots lowers property values, he believed the opposite to be the case.

John Field, an associate of Mr. Stockwell's, advised the Commission that he is one of the city's foremost specialists in Victorian buildings; and he assured the Commission that he had given a great deal of study to the house presently occupying the subject property before concluding that the house does not merit the amount of money or work which would be necessary to convert it into a useful dwelling. He remarked that the same neighborhood group had opposed the townhouses which had previously been constructed on Union Street in the belief that the houses would destroy the character of the neighborhood and ruin property values in the area; yet, the houses had sold for \$100,000 each and at least one could have been resold for \$150,000. The townhouses being proposed for the subject would sell for \$185,000; and a commitment had already been made for the purchase of one of the houses. In conclusion, Mr. Field displayed photographic panoramas of both sides of Union Street in the subject block with the proposed buildings superimposed on the panorama of the south side of the street; and he remarked that almost no side yards were visible in the photographs.

Mr. Phleger remarked that a proper interpretation of Section 127 of the City Planning Code in relation to his client's proposal would require reference to Section 102 of the City Planning Code which specifies that all words in the plural number shall include the singular number and all words in the singular



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number shall include the plural number, unless the natural construction of the wording indicates otherwise.

Frank Timberlake, Vice President of the Cow Hollow Improvement Club, stated that the members of his organization had been opposed to the applicant's proposal to construct three dwelling units on the subject site from the very beginning; and a number of meetings had been held to discuss the problem. The organization had also sent letters to approximately 250 people advising of the hearing to be held by the Commission and requesting them to express an opinion regarding the proposal. In response, 153 people had indicated their opposition to the proposal and only nine had indicated endorsement of the project. Mr. Timberlake stated that he had purchased a house across the street from the subject property in 1934; and he hoped that the present character of the neighborhood could be retained. However, if the three units being proposed were to be constructed on the subject lot, he believed that similar developments would take place on many of the ninety similar lots in the neighborhood; and, as a result, the character of the neighborhood would be altered drastically.

Jay Darwin, 2526 Union Street, stated that he had purchased his property with the expectation that the neighborhood would retain its character and appearance as an R-1 district; and he felt that the proposed buildings would be most inappropriate for the area. He did not feel that it was essential that the Commission should take action on the matter during the present hearing; and, in fact, he felt that it would probably be better to follow the procedure of deferring the decision on the matter until the conclusion of the hearing on the proposed R-1 amendments scheduled for consideration next week.

At this point in the proceedings it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the meeting be recessed and that consideration of the subject matter be continued after the scheduled public hearing on the Ocean Beach Height Limit proposals. The Commission estimated that hearing of this matter could be resumed at 4:15 p.m.

At 2:55 p.m. the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:10 p.m. for hearing of the remainder of the agenda.

President Kearney was absent for the remainder of the meeting, and Vice President Newman assumed the Chair.

3:10 P.M. - Room 282, City Hall

#### PUBLIC HEARING ON HEIGHT LIMITS PROPOSED FOR OCEAN BEACH AREA

Vice President Newman initiated the public hearing with the following statement:



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"Scheduled for public hearing today are proposals to limit heights along the Ocean Beach area of the city. As some members of the Commission may recall, in 1966 a six-story motel with a roof restaurant was proposed just south of Golden Gate Park near the Great Highway. Even though this development did not occur, it did raise the question of height limits for this area.

"In 1967 the commission recommended a 40-foot interim height limit along the beach for one year and this was enacted by the Board of Supervisors. The time limit has since been extended and the expiration date is now May 1 of this year. On January 22, the Director presented a report on this subject and the Commission asked the staff to consider what additional protection might be given to ensure and protect views from public property near the Cliff House/Sutro Baths property. I would now ask the Director for his recommendations."

Allan B. Jacobs, Director of Planning, asked Mr. Steele to summarize the recommendations of the staff.

R. Spencer Steele, Assistant Director-Implementation, stated that the staff had given consideration to the desirability and feasibility of establishing standards more strict than the forty-foot height limit previously proposed for the Cliff House/Sutro Baths property in order to protect views from public property in the area; and, as a result, the staff had decided to recommend a height limit of twenty feet for those properties with a provision that heights of up to forty feet might be allowed by the Commission through its Conditional Use procedures. For the remainder of the area under consideration, the recommendations of the staff were substantially the same as had been indicated in the Memorandum to the City Planning Commission dated January 22, 1970. Concluding his remarks, he distributed copies of the text amendment to the City Planning Code being recommended by the staff of the Department of City Planning to establish height limits along Ocean Beach.

Commissioner Fleishhacker asked how large an area would actually be subject to the twenty-foot height limit being proposed by the staff. Mr. Steele replied that all of the privately-owned land located north of the southerly property line of the Cliff House property would be within the twenty-foot height limit district.

Vice President Newman asked if the intent of the staff in recommending a forty-foot height limit for the area south of Golden Gate Park was to protect views of the ocean from properties located higher on the westerly slopes of the city. Mr. Steele replied in the affirmative, noting that the C-2 and R-4 properties along Lincoln Way would ordinarily be governed by a floor area ratio which would permit heights greater than forty feet. Much of the remainder

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of the area south of Golden Gate Park is zoned R-3 and is automatically subject to a forty-foot height limit; however, adoption of the specific forty-foot height limits being recommended would preclude any possibility of greater heights through zone changes in the future.

Commissioner Fleishhacker remarked that the proposed forty-foot height limit district would preserve views looking from north to south as well as from east to west.

Edward Lawson, representing the Chamber of Commerce, suggested that the Commission should consider delaying adoption of permanent height limits for the Ocean Beach area and should recommend instead to the Board of Supervisors that the existing interim height limits be continued. He noted that the Department of City Planning is presently involved in a City-wide Urban Design Study; and he felt that the adoption of permanent height limits for Ocean Beach should be related to the City-wide Urban Design Plan. In preparing its report on height limits for the Ocean Beach area, he believed that the staff of the Department of City Planning had not given sufficient consideration to economic and social factors; and, as a result, it was not known how the height limits being proposed would affect the future development of the area. Mr. Lawson felt that it would be desirable to replace Playland with housing for middle-income families; yet, he doubted that it would be economically possible to develop that site for housing under the forty-foot height limit which was being proposed. He agreed that "linear high-rise development" as mentioned in the staff report could and would block a lot of views; however, not all buildings exceeding a height of forty feet would block views, and some might even make possible the development of new view corridors. He believed that the construction of an occasional tower along Ocean Beach, such as at Playland for example, would give more variety to the area and would make the western part of the city more interesting. Such towers would also provide many accommodations for the middle-income families which the City is trying to attract; and the people occupying the apartments would enjoy the benefit of new views which have not previously been available.

Commissioner Porter wondered if the Chamber of Commerce was aware that one of the City's most gifted developers who has never experienced a financial failure had prepared plans for residential development of the Playland site under the proposed forty-foot height limit.

Mr. Lawson replied that he did not question the fact that it is possible to build within a forty-foot height limit; however, he did doubt that it would be possible to build housing for lower-income families under a forty-foot height limitation. In his opinion, everything possible should be done to achieve City-wide social needs, particularly the need for lower-income family housing.

Commissioner Fleishhacker, noting that Mr. Lawson had suggested that the Commission postpone action on permanent height limits for the area and that it should seek extension of the existing interim height limits instead, asked

[illegible][illegible]

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if Mr. Lawson agreed that the areas along Ocean Beach should be subject to some type of height limitation. Mr. Lawson replied that it was his personal feeling that some type of design control would be desirable in order to avoid construction of a solid wall of high buildings; yet, he felt that other forms of control, such as the Planned Unit Development approach, would be more desirable than flat height limits in meeting that objective.

J. Edward Fleishell represented Land Resources, Inc., the owners of the former Sutro Baths properties. He stated that his clients had spent money to develop plans for construction of buildings of less than forty feet in height on the site; however, if the twenty-foot height limit being recommended by the staff of the Department of City Planning were to be imposed, it would neither be possible to sell nor develop the property. Mr. Fleishell noted that the Director of Planning had been quoted in the minutes of the Commission's meeting of January 22, 1970, as stating that establishment of a one-foot height limit for the Sutro Baths property would probably be considered to be "confiscatory"; and he remarked that he regarded the twenty-foot height limit now being proposed in the same light. Mr. Fleishell noted that no areas of the city are presently subject to a twenty-foot height limit; and, while he recognized that the proposed ordinance language would allow height of up to forty feet on the property subject to conditional use approval by the Commission, he indicated that he did not regard the language as acceptable since it is impossible to obtain firm loan commitments without firm zoning standards. He noted that the staff of the Department of City Planning had originally recommended a forty-foot height limit for the Sutro Baths properties on the basis of the height limit study which they had undertaken; and, since he was not aware that any changes had taken place in the area since the completion of the staff report, he felt that a height limit of forty feet should be considered appropriate. Mr. Fleishell agreed that the view from the public property located adjacent to the Sutro Baths site ought to be protected; however, in view of the fact that the construction of any buildings on the property owned by his clients would obstruct the view, he felt that the Commission should realize that the establishment of a forty-foot height limit on the site would have no more effect in terms of preserving views than would the establishment of a six-foot height limit on the property.

Erwin J. Swift, 2671 El Camino Del Mar, stated that he is in the real estate business and that he is familiar with the cost of property and with construction costs. He regarded the Cliff House and the Sutro Baths site as being one of the most important areas of San Francisco; and he felt if the views presently available towards the water are cut off by new construction, it would be most unfortunate both for residents of San Francisco and for tourists. He remarked that the Sutro Baths site has a "bowl" which is large enough and deep enough to accommodate a development which would provide income for the owners of the land; however, he felt that no housing should be allowed to be constructed in such a manner as to disrupt the shoreline. Mr. Swift pointed out that no housing has been built along the shoreline in the area between Sloat Boulevard and Sea Cliff; and he felt that the established practice should not be broken at this point.



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In any case, he urged the Commission not to allow any height above the present elevations of Merrie Way and Point Lobos Avenue since buildings of greater height would destroy the contours of the area and ruin a great tourist attraction.

William Coblentz, representing the Lathrop Construction Company, distributed copies of a chronological list of steps which had been taken by his clients in an effort to achieve development of their property located on Point Lobos Avenue. He also submitted copies of a brochure entitled "The Headlands" outlining the type of development which had been considered. He remarked that his clients had supported the ballot proposition for purchase of the property as a City park; however, when that proposal had been turned down by the voters, the developers had proceeded with their plans for the site. Unfortunately, in June, 1969, New England Mutual Bank had denied a request for a nine-month extension of the loan commitment for the development of the site; and, as a result, his clients had been forced to forfeit their \$50,000 deposit. Mr. Coblentz stated that he had summarized the cost which his clients had incurred to date in the brochure which he had distributed to members of the Commission; he noted that the total cost of the expenditures, including acquisition of land and preparation of architectural and engineering drawings, was \$1,514,551.88.

Mr. Coblentz remarked that both the Commission and the staff of the Department of City Planning are subject to change; and if, at some future date, the Commission should deny a conditional use request for construction of buildings of up to forty feet in height on the site, all of the plans which had been prepared for development of the property would have to be scrapped. He remarked that his clients had made every effort to handle their property in a way which would be satisfactory to the City; and he felt that it would be unfair for the Commission to adopt the twenty-foot height limit being recommended by the staff of the Department of City Planning which would have the effect of leaving his clients to the mercy of future commissions in determining whether the height of forty feet would be allowed on the site. Under the circumstances, he strongly urged that the interim height limit of forty feet be retained permanently.

Commissioner Porter asked if Mr. Coblentz felt that his clients could develop the property under a forty-foot height limit. Mr. Coblentz replied that he and his associates had always maintained that they could and would live with the forty-foot height limit. He stated that a loan commitment had been obtained on that basis in the past; and he hoped that another loan commitment could be obtained in the future.

Commissioner Porter asked if the plans which had been prepared for development of the site would provide open spaces between buildings so that views of the water would be available. Mr. Butterfield, architect for the owners of the property, stated that the original plans for development of the site had provided very limited openings between buildings; and the buildings had extended seven feet above the elevation of Merrie Way. He emphasized, however, that no specific project for the site is under consideration at the present time.



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Commissioner Newman asked if the project originally proposed would have blocked views. Mr. Butterfield replied in the affirmative. He noted, however, that the Sutro Baths building which had previously occupied the site had obscured the view, also.

Mrs. Dorothy Sims, 149 Seal Rock Drive, represented the Outer Richmond Neighborhood Association. She advised the Commission that her organization had adopted a resolution with the following resolves:

- "1. That the height limit shall not exceed forty feet from Sloat Boulevard to the Cliff House;
- "2. That the Cliff House and Sutro Baths area must be considered as a separate unit having great scenic and historical value and must be preserved as an important asset of San Francisco. For that reason, a twenty-foot height limit should be established to preserve views from Great Highway, Point Lobos, and Merrie Way; and
- "3. That the twenty-foot height limit from Cliff House/Sutro Baths shall be determined from such property level that any structure shall not exceed the height of the contour of the Great Highway, Point Lobos, and Merrie Way."

Mrs. Eugene Brodsky, 7919 Geary Boulevard, read the following statement on behalf of the San Francisco Bay Chapter of the Sierra Club:

"We support a 40 foot height limit for Ocean Beach from Wawona Street to south of the Cliff House. We believe such a limit is important for preservation of views from parks, city streets and private residences. Higher limits would disturb the natural topographical form of the entire western part of the city.

"We feel the Cliff House/Sutro Bath area is unique and separate and should be considered as such. In the past the Sierra Club has urged public acquisition of this area. It is an integral part of the Golden Gate Headlands. The highest and best use of this land is permanent open space because of the scenic and recreational activities the site offers.

"The recreational value has been lost due to private ownership prohibiting public access.

The first part of the report deals with the general situation of the country and the position of the various groups. It is followed by a detailed account of the events of the last few years, and a summary of the present state of affairs. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The second part of the report deals with the economic situation of the country. It is followed by a detailed account of the various industries and the position of the different classes of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The third part of the report deals with the social situation of the country. It is followed by a detailed account of the various social classes and the position of the different groups of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The fourth part of the report deals with the political situation of the country. It is followed by a detailed account of the various political parties and the position of the different groups of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The fifth part of the report deals with the military situation of the country. It is followed by a detailed account of the various military forces and the position of the different groups of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The sixth part of the report deals with the cultural situation of the country. It is followed by a detailed account of the various cultural activities and the position of the different groups of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The seventh part of the report deals with the geographical situation of the country. It is followed by a detailed account of the various geographical features and the position of the different groups of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

The eighth part of the report deals with the historical situation of the country. It is followed by a detailed account of the various historical events and the position of the different groups of the population. The report is written in a clear and concise style, and is well illustrated by numerous photographs and maps. It is a valuable contribution to the knowledge of the country and its people.

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"We urge that his (sic) Commission set height limits for this area that will not impair views from the areas existing open space - that is Sutro Park and Lincoln Park Observation Area.

"Further we hope that this Commission will do all that is possible to set controls so that any development will relate totally and compatibly with the surrounding open space."

Jim Sargen, representing himself and Vicente Properties, Inc., stated that his firm owns several apartment house projects in which rents of \$100 per month must be charged to senior citizens. Rents have had to be raised in the past; and, as the value of the properties increases, he felt that it might become necessary to utilize the higher density of the R-4 zoning in order to provide housing for people who need it at a price which they can afford. However, if the forty-foot height limit under consideration were to be adopted, it would not be possible to utilize fully the R-4 density standards. Mr. Sargen felt that imposition of rigid height limits without proper regard to economic and social conditions would not provide the best means of controlling the development of the City; and he agreed with one of the previous speakers that a planned unit development approach similar to that used in Europe and other cities in the United States would be better than strict zoning controls which produce only mediocrity. He stated that he enjoys a view to the south from his office; and he felt that the high-rise towers of Park Merced make the view much more interesting than it would be under other circumstances. While he did not believe that views should be regarded as a sacred right, he did agree that they should be protected for the average citizen. He pointed out, however, that streets serve as view corridors; and, if flexible height controls could be established by the Commission, it would still be possible to preserve the most important views without subjecting the entire area to rigid controls.

Commissioner Porter asked if Mr. Sargen believed that the development of every parcel of privately-owned property in the city should be subject to review and approval by the City Planning Commission or the staff of the Department of City Planning. Mr. Sargen replied that he had not necessarily meant to make that suggestion. However, he did believe that flexible controls along the waterfront would be desirable so that the Commission could review each individual situation in its own context.

Commissioner Porter remarked that such an approach might be the planner's idea of "Heaven"; however, she seriously doubted that such an approach would ever be feasible.

Ethel J. Drost, owner of property on the Great Highway between Lawton and Moraga Streets, asked if establishment of the proposed forty-foot height limits would prevent construction of R-4 apartment buildings on her property. The Director replied that the properties are presently subject to a forty-foot interim height limit; and he indicated that adoption of the permanent forty-foot

On 11/11/1964, the following information was received from the  
New York State Department of Social Services, Albany, New York:  
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Department of Social Services, Albany, New York:

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height limit being proposed would not change the manner in which the property could be used. Under a forty-foot height limit, an apartment building consisting of four stories above a garage level would not be permitted at the present time or in the future.

Constantine Megas, 866 - 48th Avenue, stated that he was primarily concerned about the development of the Playland site in a manner which would provide view corridors towards the water; and he observed that if the permitted floor area ratio were 4.8 to 1 on the site, the developers would have to construct a solid block of buildings with a height of forty feet in order to achieve the full permitted development of the site.

Mr. Steele stated that the Playland site is presently subject to a 3.6 to 1 floor area ratio as well as to specific rear yard and coverage standards.

Mr. Megas asked if it would be possible to approach the 3.6 to 1 floor area ratio under the proposed forty-foot height limit. If so, he believed that the developers would have to build a solid block of forty-foot buildings with 25-foot rear yards to achieve the total density permitted; and, under those circumstances, the forty-foot height limit could destroy views as effectively as a one-hundred-foot height limit. In his opinion, development of the site with towers separated by view corridors would be preferable to a forty-foot high solid block of buildings.

The Director stated that most people do not necessarily build to the maximum allowable floor area ratio; and he indicated that he did not believe that establishment of a forty-foot height limit would discourage development of the Playland site. With regard to the construction of towers on the site, the Director indicated that the staff of the Department of City Planning was concerned not only with height and with views but also with the shadows which such buildings would cast.

The Secretary called attention to letters which had been received from Mr. and Mrs. Robert Hardenbrook, 383 Fair Oaks Street, and from Elsa J. Strait, corresponding secretary of the Eureka Valley Promotion Association. Mr. and Mrs. Hardenbrook favored the height limits being proposed because they would save the view of the ocean for the general public. Mrs. Strait advised that the Board of Directors of her organization had gone on record opposing the proposed one-hundred-foot height limit along Sloat Boulevard. They believed that such a height limit would deprive the Commission and the citizens of San Francisco of the "checks" necessary for good planning; and they felt that the raising of height limits in one area now might eventually encourage high-rise development along the entire ocean frontage of the city.

The Director indicated that he wished to comment upon statements made by various speakers during the course of the public hearing before recommending the proposed ordinance to the Commission for adoption. While Mr. Lawson had recommended that action on the proposed ordinance should be deferred, the Director noted that the City Planning Commission had promised to recommend permanent height



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limits for the Ocean Beach area within two years when it had last requested an extension of the interim height limits. With regard to the Playland site, the Director indicated that there was very good reason to believe that housing could be constructed on the property within the confines of the forty-foot height limit being proposed. Mr. Fleishell had remarked on the fact that it would be difficult to obtain financing for development of the Sutro Baths site if the Code were not clear as to whether buildings of twenty feet or forty feet in height would be permitted on the site; and the Director noted that it would probably be even more difficult to obtain a loan commitment if the interim height limits were to be extended. Some of the speakers had inferred that they would prefer to have no development on certain sites such as the Sutro Baths property; and, while the staff of the Department of City Planning might be in agreement with such a philosophy, the Department has no power to achieve such a result. Mr. Coblentz had objected to the twenty-foot height limit with possible conditional use approval of buildings of up to forty feet in height on the basis that he did not know how the staff of the Department of City Planning or the Commission would react to a request for a height of forty feet in the future; and the Director could only agree that no one could foresee the answer to that question. Mr. Sargen had suggested that San Francisco should have more flexible land use controls and had referred to European practice as an example; however, the Director observed that planning departments in Europe have infinitely more power and much more stringent height restrictions than does the San Francisco Department of City Planning. After reading a list of names of people who had spoken in support of the forty-foot height limit along the Great Highway at public hearings held previously by the City Planning Commission, the Director recommended adoption of the City Planning Code text and map amendments as proposed by the staff of the Department of City Planning.

Commissioner Porter stated that she had felt that it would be desirable to establish a twenty-foot height limit for the Sutro Baths property; however, in considering the matter further at a committee meeting, she had been as much disturbed by what might be constructed under a twenty-foot height limit as by what might be constructed under a forty-foot height limit on the site. She noted that Mr. Coblentz and his clients had been most cooperative in dealing with the Commission with regard to the Sutro Baths property; and she wondered if it would not be desirable for the Commission to retain the present forty-foot height limit on the property and to establish a policy of conducting discretionary reviews of any projects proposed for the site with the objective of obtaining a design which would preserve views.

Mr. Coblentz believed that the Commission had already adopted a policy of conducting discretionary reviews of any developments proposed for the site. In any case, he indicated that he would have no objection to such a policy.

Commissioner Porter asked the Director to comment on whether it would be possible to achieve as effective control through the discretionary review procedures as through the conditional use procedure which had been recommended by the staff. The Director replied that the difference between the two approaches would ultimately depend upon the willingness of the developer to cooperate with the Commission. He remarked that conditional use actions taken by the Commission can be appealed only to the Board of Supervisors whereas discretionary review actions can be appealed to the Board of Permit Appeals.



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After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6501 be adopted and that the text of the City Planning Code be amended to establish height limits for the properties under consideration as recommended by the staff of the Department of City Planning with the exception of the properties located north of the southerly property line of the Cliff House which will be subject to a forty-foot height limit.

Subsequently it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 6502 be adopted and that the zoning map of the City and County of San Francisco be amended to reflect the height limits established by adoption of Resolution No. 6501.

At 4:25 p.m. Vice President Newman announced that the meeting was recessed. The Commission reconvened at 4:30 p.m. and proceeded with hearing of the remainder of the agenda.

Continuation of Discretionary Review of Building Permit  
Applications No. 380451, No. 380452, and No. 380453

Three single-family dwellings on a single R-1 lot  
located at 2541-53 Union Street

Raymond P. Haas, 2510 Green Street, represented both himself and the Cow Hollow Improvement Club. He noted that the owner of the subject property had previously filed a variance application with the Zoning Administrator requesting permission to construct three houses on the site. The variance application had later been withdrawn; and the individuals who were opposing construction of three units on the property were advised that three units could legally be built on the property even if the property were not subdivided into three lots. His own reaction to that information had been one of disbelief. He advised the Commission that there is a doctrine of law which specifies that when an ordinance makes a distinction when no rational reason is offered for the distinction, the ordinance is unconstitutional; and he felt that the doctrine should apply in the case of the City Planning Code since there was no rational reason to explain why three units could be built on a single parcel of property under condominium ownership when the same parcel of property would not qualify for subdivision into three lots. Mr. Haas stated that the Law does not encourage condominium ownership but rather private ownership of property; and he felt that that fact should have a bearing on the case presently before the Commission. Mr. Haas stated that he did not agree with the applicant's interpretation of the City Planning Code. In his view, Section 127 of the City Planning Code would allow a single R-1 lot to have only one dwelling; however, under appropriate conditions, the dwelling could contain more than one dwelling unit. Section 102.6 of the Code states that "a dwelling is a building, or portion thereof, containing one or more dwelling units"; and Section 102.7 of the Code states that a dwelling unit is "a room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen". Under the circumstances, Mr. Haas thought that it was quite clear that a "dwelling" is a "building" and that a "dwelling unit" is merely a room or suite of rooms inside of a building.



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He felt that distinction may be particularly important insofar as Section 127 of the City Planning Code does not mention "buildings" but, rather, addresses itself to the subject of "dwelling units". Mr. Haas believed that a proper reading of the City Planning Code would have to lead to the conclusion that Sections 202 and 202.1 and Section 127 all limit construction on one lot to one "dwelling" that is, to one building. Therefore, the only type of building which would be allowed on the subject property would be a type of "flat" in which each of the units would have a separate entrance. The three free-standing row houses being proposed by the applicant would constitute more than one building; and, as a result, that construction would not be permitted by the Code.

Mr. Haas realized that his interpretation of the City Planning Code might actually be harmful to the character of the subject neighborhood because it would allow use of parcels of property such as the one presently under consideration for the construction of flats. However, he noted that the City Planning Commission had already scheduled a public hearing for March 19 on the subject of proposed amendments to the R-1 standards of the Code; and he indicated that he and his associates would urge that the language of the Code be changed to allow the construction of only one dwelling unit on each R-1 lot.

Mr. Haas noted that the City Planning Commission and the Board of Permit Appeals had previously differed in their interpretation of Section 127 of the City Planning Code; however, since the applicant had originally purchased the subject property with the intent of remodeling the existing house for his own use and not for the purpose of constructing three separate houses on the site, he felt that the applicant could not properly claim reliance on one interpretation or the other as a point in his favor. In any case, he questioned whether the houses could be built as proposed since they seemed to him to violate the forty-foot height limit governing the property if the measurement of height were to be conducted in accordance with the provisions of Section 120.1 of the Code. Measurements which he had made from the plans indicated that the legal height of the buildings proposed would be 45 feet; and, as a result, the buildings would definitely violate the forty-foot height limit if they were to be constructed as proposed.

Commissioner Fleishhacker asked if Mr. Haas would withdraw his objection to construction of the buildings if the height of the buildings were to be reduced by five feet. Mr. Haas replied in the negative, indicating that the matter of height was only one of the arguments which he had presented.

Commissioner Fleishhacker asked if Mr. Haas would have any objection to the buildings if they were to meet all of the standards of applicable City Codes. Mr. Haas replied that he and the applicant differed in their interpretation of the pertinent sections of the City Planning Code. More importantly, however, the matter had come before the Commission for discretionary review; and, under its discretionary authority, the Commission could consider many factors such as light, air, privacy, and the compatibility of the buildings being proposed with other buildings in the neighborhood. Mr. Haas stated that the subject property is located in the area of the city generally known as Pacific Heights or Cow Hollow; and he noted that the surrounding neighborhood is characterized by individually-designed houses, large lots, and adequate side yards. Although he agreed that the block in question may in fact have only minimal side yards or no



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side yards whatsoever, he emphasized that the overall character of the surrounding neighborhood is significantly different. While the block in question may already have apartment buildings, he noted that the apartment buildings had been constructed prior to the adoption of the first zoning ordinance in 1921; and he indicated that only one building, a single-family house, had been constructed in the block since that date. He remarked that the response of the neighborhood to questionnaires which had been mailed by the neighborhood organization had been overwhelmingly in opposition to the applicant's proposal because people living in the area did not believe that the houses proposed would be in character with the rest of the neighborhood; and he felt that the Commission should exercise its discretion to deny the permits.

Charles Masten, 2056 Union Street, stated that he was a former architect and a long-term resident of the city; and he advised the Commission that he was "dead set" against further construction of row houses in the city since he felt that row houses had destroyed the city more than any other thing. He felt that satellite cities should be developed and that the population of San Francisco should be reduced; the emphasis should be on quality rather than quantity. He regarded row houses as a definite fire hazard; and he felt that the Commissioners, whose purpose is to beautify San Francisco, should support the majority of the residents of the subject neighborhood and deny the permit applications. One of the things which could be done to make the city more attractive would be to provide more open spaces; and the wall-to-wall row houses being proposed would not meet the objective. Furthermore, the proposed buildings would increase parking congestion in the neighborhood and would increase the problem of police protection. Under the circumstances, he urged that the permit applications be denied.

Robert Lilienthal, president of the Presidio Heights Association of Neighbors, stated that he was not overly concerned about the specific parcel of property in question since he had great respect for the architects which had been selected by the applicant. However, since his own neighborhood has approximately 82 parcels of property consisting of more than 6,000 square feet, he was anxious not to have a precedent established in the present instance which would later have an undesirable effect on his neighborhood. He pointed out that the proposal presently under consideration would meet the City Planning Code requirement of 3,000 square feet of property for each dwelling unit; however, these buildings would not meet the City Planning Code requirement for a 25-foot-wide lot in an R-1 district. He agreed that there is no magic in the 25-foot figure as had been demonstrated by the houses which had been built on 16½-foot lots on Union Street. He pointed out, however, that those lots were located in an R-2 zoning district in which the 25-foot width is not nearly so meaningful as in the R-1 district. In the case of the subject properties, he felt that two dwelling units should be allowed. In addition, he felt that the buildings should conform to the City Planning Code standard of a 35-foot height limit in R-1 districts.

Mr. Steele stated that the City Planning Code specifies a 35-foot height limit in R-1 districts when the site is flat. When the site slopes, however, a height of forty feet is allowed.



The Director remarked that many legal arguments had been presented by the various speakers; and, while he was concerned with proper interpretation of the City Planning Code under the law, he indicated that he was also concerned with good planning. He noted that residents of the subject neighborhood wished to have the area remain unchanged; yet, since neighborhoods do not remain precisely the same, he felt that the most important question to be faced should be directed towards the problem of how best to accommodate change. He emphasized that the residential density of the project proposed would be consistent on a lot-for-lot basis with existing development in the neighborhood; and he felt that the principle of condominium ownership would be consistent with the single-family purpose of the R-1 zoning district. The buildings would have off-street parking spaces and would provide outdoor living space for their occupants; and he did not believe that they would have an undesirable effect on the neighborhood. Except for high-density development, row houses provide the only reasonable way of achieving single-family units in San Francisco; and, as a result, he did not feel that the construction of row houses should be discouraged. Although he believed that each and every proposal similar to the one presently under consideration should be reviewed in terms of the specific neighborhood involved, he did not feel that the Commission should take a position of opposing such developments in instances when they would not be inappropriate. He recommended that the permit applications be approved.

Commissioner Porter asked if condominium ownerships are common in R-1 zoning districts in the city. The Director replied that there has been relatively little use of the condominium approach in the city.

Commissioner Finn believed that the buildings presently under consideration would constitute the first condominium development in an R-1 district in San Francisco. He noted that residents of the subject neighborhood had expressed strong opposition to the project; and, since he, also, was opposed to the proposal, he moved that the permit applications be disapproved. The motion was seconded by Commissioner Porter.

Commissioner Fleishhacker noted that two dwelling units would be legally permitted on the subject site; and, if the lot were only seven feet wider, construction of the three units being proposed would be completely legal, also. He felt that there was no question but what the character of the property would change; and he did not feel that construction of the three units being proposed would be significantly less desirable than the two units which would ordinarily be permitted. Furthermore, while the units would in fact be a condominium, that circumstance would not be apparent to people driving by the buildings on the street. He remarked that the condominium approach is something relatively new; and, for that reason, it may not have been used previously in R-1 districts in San Francisco. The ones presently under consideration were of an excellent design and would actually improve rather than have a detrimental effect on the subject neighborhood. For those reasons, he felt that the permit application should be approved.



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Commissioner Porter did not feel that use of the condominium approach is appropriate in R-1 districts; and she believed that the residents of Cow Hollow were well advised to be wary of any development which would establish such a precedent. She agreed with Commissioner Fleishhacker that very few large houses will be built in San Francisco in the future; however, she believed that many of the larger homes presently in existence will be retained. Even though the houses proposed might be of award-winning quality, she did not feel that they would be in harmony with the neighborhood or that they would help to preserve the atmosphere and quality of Pacific Heights and Cow Hollow which should be preserved.

When the question was called the Commission voted 3 - 1 to disapprove the subject building permit applications. Commissioners Finn, Newman, and Porter voted "Aye"; Commissioner Fleishhacker voted "No".

The meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary

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SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, March 19, 1970.

The City Planning Commission met pursuant to notice on Thursday, March 19, 1970, at 100 Larkin Street at 1:00 p.m.

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; Mortimer Fleishhacker, Mrs. Charles B. Porter and John Ritchie, members of the City Planning Commission.

ABSENT: James K. Carr and Thomas J. Mellon, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation; Dean L. Macris, Assistant Director - Plans and Programs; Robert Passmore, Assistant Zoning Administrator; Samuel Jung, Planner IV; James White, Planner III - Urban Design; Joseph Fitzpatrick, Planner III; and Lynn E. Pio, Secretary.

Scott Blakey represented the San Francisco Chronicle; Dick Alexander represented the San Francisco Examiner.

1:00 p.m. - Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the zoning hearing on April 2, 1970.

2:15 p.m. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Newman, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meetings of February 19 and 26, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, distributed copies of Urban Design Study Report No. 3 -- Goals, Objectives, and Policies.

The Director advised the Commission that the Bay View-Hunters Point Model Neighborhood Agency had requested the assistance of the Department of City Planning in obtaining a 701 grant from the Federal Government to provide additional planning assistance for the Model Neighborhood Agency. Although the application would have to be initiated by the Department of City Planning,



the Mayor's Office had indicated that it would take responsibility for the administrative and budgetary aspects of the project. The total annual cost for three new positions and operating expenses would be \$39,000; and, in the case of this particular application, it was understood that the City would not be required to provide matching funds. The Director indicated that he had prepared a draft resolution for consideration by the Commission which would authorize him to provide additional planning and programming assistance to the Bay View-Hunters Point Model Neighborhood Agency and to explore the possibility of financing the project through State and Federal funds. After distributing copies of the draft resolution, he recommended its adoption.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6503.

The Director advised the Commission that the Board of Supervisors, meeting on Monday, had adopted two resolutions requesting the Department of City Planning to formulate a preliminary redevelopment plan for the Regal Pale Brewery site. The Director described the property which would be involved and indicated that the estimated total cost of the redevelopment project would be \$1,800,000. He recommended that the Commission authorize him to review the proposal and to prepare an acceptable plan for the area if his reactions to the proposal were positive.

Commissioner Fleishhacker asked if it was the same parcel of property which had come before the Commission on March 5 for zoning reclassification. The Director replied in the affirmative but noted that the application for reclassification of the property had been withdrawn. He stated that the private developer had proposed to construct four hundred units on the site whereas he felt that two hundred units plus certain environmental factors would be more appropriate.

Commissioner Fleishhacker asked if the proposed redevelopment project would require reclassification of the property. The Director replied in the affirmative.

After further discussion it was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to formulate a preliminary redevelopment plan for the Regal Pale Brewery site in accordance with the request from the Board of Supervisors.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 380256, HARNEY WAY  
AND QUEBEC AVENUE

Proposed trucking company equipment yard in area affected by South Bayshore Plan. (Postponed from meeting of March 12, 1970.)



Robert Passmore, Assistant Zoning Administrator, reported on this matter as follows:

"Scheduled today for Planning Commission review under its discretionary review powers is a building permit for an industrial building on M-1 zoned land in an area proposed for non-industrial use under the recently adopted Master Plan Amendment for the South Bayshore District.

The subject permit application, No. 380256, was filed by W. H. Hoyt on February 16, 1970, for the Chet C. Smith Trucking Company, owner of the property proposed for development.

The subject parcel, all of Assessor's Block 5059, constitutes all of the frontage on the south side of Harney Way between Richter and Quebec Streets for an average depth of 294 feet, and having an area of 58,856 square feet. The site is south of and below Bay View Park, and has frontage on the Candlestick Cove shoreline.

The application is very preliminary in nature; no precise building plans have been filed. The plot plan submitted with the application proposes the construction of a one-floor, 18-foot high steel building for offices, parts storage and an equipment repair garage. The area of the building would be 3400 square feet. The remainder of the area will be surfaced with rock for open storage of trucks and equipment. A chain link fence would be along the perimeter of the parcel. Access would be from Harney Way. The permit application lists the total cost as \$60,000. The owner recently moved trucking equipment onto the lot.

The South Bayshore Plan proposes that the area south of Harney Way in the vicinity of the subject parcel be developed as low density residential, park-recreation-planted area and a neighborhood commercial area.

This application was referred to the Bay View Hunters Point Model Neighborhood Agency as are all significant new applications. On March 18, 1970, that Agency resolved to request that the City Planning Commission disapprove the permit application because the proposed development would be detrimental to the carrying out of the South Bayshore Plan which that Agency supports.

The recent action by the California Board of Water Resources to cut off all new building-sewer connections in the southeastern industrial area may require disapproval of the building permit application by the City. However, the exact requirements of that Board's action have not yet been made completely known to the City."



Mr. Passmore then distributed photographs which he had taken of the site and noted that the owner of the property had already moved some of his equipment onto the site.

The Director recommended disapproval of the permit application for the installation of new buildings on the subject site for industrial purposes. He noted that the Bayview-Hunters Point Model Neighborhood Agency had pointed out that such a building would tend to inhibit the developments proposed under the recently adopted Master Plan for the South Bayshore area. Furthermore, if the property were to be reclassified in the future to allow the type of development proposed by the Master Plan, an industrial use would of course become non-conforming. When no buildings are involved, nonconforming industrial uses are allowed a five-year amortization period; however, when nonconforming industrial properties are developed with buildings, they must be given an amortization period of twenty years. In conclusion, the Director advised the Commission that negotiations are presently underway with the State to develop ramps from the freeway at Harney Way which might have an effect on the subject property.

Edward Molkenbuhr, attorney for the applicant, stated that he was aware that the South Bayshore Master Plan had been approved by the Commission; and he agreed with the Director that use of the subject property for industrial purposes over the next twenty years might delay effectuation of the Plan. He noted that the property is totally unimproved at the present time; however, while the land had been filled, it had been compacted to engineering standards. His client proposed to place a prefabricated building with baked enamel finish on the property which would measure 65 x 180 feet. The remainder of the site would be paved, and trees would be planted on the property. Since it would obviously take a number of years to raise money for the Marina Project which had been proposed in the South Bayshore Master Plan, he hoped that his client would be given permission to use the property as proposed for the time being. He felt that it should be possible to reach an agreement whereby his client would be allowed to construct the building being proposed with the provision that the land could be used for commercial or residential purposes at some future date when the costs of the building have been recovered. While he did not disagree with the importance of preparing plans for the future, he pointed out that the residential or commercial value of the subject property at the present point in time is absolutely nil; and, since his client would like to use the site to consolidate equipment which is presently stored in various locations, he felt that it should be possible to arrange a compromise until such time as the developments proposed in the Plan can actually be undertaken.

President Kearney asked if a permit application would be required if the property were to be paved but not developed with a building. Mr. Passmore replied that it was his understanding that neither the paving nor the construction of a temporary building on the site would require a permit.

The Director felt that it would probably be desirable for the staff to meet further with the applicant to discuss alternate treatment of the site. Under the circumstances, he recommended that the matter be taken under advisement indefinitely.



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After further discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that consideration of this matter be taken under advisement indefinitely.

R70.12     Acquisition of Lot 6, Block 3537, west side  
             of Church Street, south of Duboce Avenue,  
             for rectifier substation for Municipal Railway.

Samuel Jung, Planner IV, reported on this matter as follows:

"The Municipal Railway will require a new power distribution system to operate the new streetcar equipment to be initiated when the streetcar lines are put into subway under Market Street. The J and N lines will turn off Market at Duboce Avenue in a tunnel which will have its portal between Webster and Church Streets.

Since the new equipment will require more power than the present streetcars, additional rectifier substations will be required for converting alternating current to direct current. Such substations are being placed in underground locations where convenient, at the Civic Center, and in the present Eureka Valley station which will be abandoned after construction of the Castro Street station.

Hetch Hetchy Water and Power, which is doing the engineering for the new Muni system, has recommended purchase of Lot 6, Block 3537 on the west side of Church Street 120 feet south of Duboce Avenue as the site for the rectifier substation which will serve the J, K, L, M and N subway-surface cars and the No. 22 trolley coach. The lot is 24 x 125 feet, occupied by a single family dwelling, and for sale at the present time. This portion of Church Street is in the C-2 zoning district where the substation is a permitted use.

Safeway is located on the east side of the street. The west side is mixed commercial and residential, apparently in a transition stage, and is distinguished by the red brick St. Francis Lutheran Church in the center of the block.

The substation could be placed in an underground vault in the subway tunnel or at the Church Street station; however, the construction cost of an underground vault is estimated at approximately \$223,000 as opposed to an above ground structure at approximately \$30,000 plus the cost of the site. Another factor is that the substation will be needed for the J and N cars before the completion of the Church Street station on Market Street.

The substation would occupy the rear portion of the lot in a structure approximately 69 feet long and 15 feet high, and the front of the lot would be appropriately landscaped. It would use solid state conversion equipment.



The Real Estate Department has investigated other possible above ground sites in the vicinity and feels that they are too expensive."

Commissioner Newman asked if the properties on either side of the subject site are developed residentially. Mr. Jung replied that the property to the north is occupied by a new six-unit apartment building and that the property to the south is developed with an older four-unit apartment building.

President Kearney asked if any nuisance factors would be associated with the building such as noise. Mr. Jung replied in the negative, indicating that the machinery would produce only a slight hum.

Commissioner Ritchie remarked that even a "slight hum" occurring 24 hours a day might be sufficient to annoy people in adjacent buildings; and he felt that the Commission would be ill-advised to approve the proposal without actually knowing how much noise the equipment would produce.

The Director stated that he was confident that the building would not create a noise problem since the only equipment to be used would be a converter.

President Kearney, noting that the City would save a great deal of money by constructing the facility above ground, felt that the City should be willing to install sufficient acoustical materials in the building to prevent any noise which might bother occupants of the adjacent buildings.

Mr. Phillips, Assistant General Manager of the Hetch Hetchy System, advised the Commission that no similar facilities are in existence in San Francisco. He assured them, however, that since the equipment to be used would be solid state, the facility would have a very low noise level. He displayed a sketch of the type of building which was proposed for the site; and, in response to a question raised by Commissioner Ritchie, he indicated that the building would probably be constructed of concrete blocks.

The Director asked if Mr. Phillips could assure the Commission that adequate insulating material would be placed inside the building to prevent any possible noise problems. Commissioner Ritchie remarked that noise could still emanate through the ventilators even if insulation were installed inside the building. He asked Mr. Phillips if he had had an opportunity to hear similar type of equipment in operation.

Mr. Phillips replied in the affirmative, stating that similar equipment has been used at Hetch Hetchy. He stated that the equipment is relatively noiseless; however, if someone were to listen closely to the equipment, they might hear a slight hum. In any case, the facility proposed would be as quiet as it would be if it were to be placed underground. He emphasized that the substation must be constructed; and he repeated his belief that placement of the building underground at a cost of \$200,000 would not alter the noise level in any way.



President Kearney suggested that it might be appropriate for the Commission to add to its recommendation a statement to the effect that the noise level of the facility should be reduced so that it would not be a nuisance to adjacent buildings. Mr. Phillips stated that everyone was in agreement on that issue.

Commissioner Fleishhacker remarked that there is a legal definition of what constitutes a nuisance. Consequently, if the proposed facility should prove to be a nuisance, adjacent property owners could go to court to have the nuisance abated. In any case, he felt that the Commission should suggest that every possible step be taken to soundproof the facility.

The Director stated that the staff of the Department of City Planning had reviewed the proposal to the best of its ability; and, as a result, he was prepared to recommend that acquisition of the property be approved.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Newman, and carried unanimously that the Director be authorized to report that the acquisition of 120 Church Street, Lot 6, Block 3537, as a site for a rectifier substation for the Municipal Railway is in conformity with the Master Plan.

At 2:55 p.m. President Kearney announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:00 p.m. for hearing of the remainder of the agenda.

3:00 p.m. - Room 282, City Hall

PUBLIC HEARING ON PROPOSED AMENDMENTS  
TO THE CITY PLANNING CODE AFFECTING THE  
NUMBERS OF DWELLING UNITS PERMITTED ON  
A SINGLE LOT IN AN R-1 DISTRICT

R. Spencer Steele, Assistant Director-Implementation, reported on this matter as follows:

"The Planning Code at present allows more than one unit, as of right, provided an R-1 lot has at least 3,000 square feet of lot area for each dwelling unit and each unit has a separate outside entrance.

Five neighborhood groups, representing the Cow Hollow, Pacific Heights, Presidio Heights, Russian Hill and Sunset Heights areas, have jointly requested that the provision allowing more than one unit be eliminated entirely.

On January 8 the Commission declared its intention to hold a hearing on this proposal, but also to consider whether the present provision should be replaced by one requiring conditional use authorization for

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more than one unit in R-1 districts. The March 19 hearing has been advertised on that basis, and representatives of all neighborhood organizations having R-1 zoning in their areas of interest have been notified of the hearing.

The R-1 provisions apply throughout the city to a variety of neighborhoods and lot patterns. Lot sizes in these neighborhoods are predominantly well below 6,000 square feet, the size that would be required for a second dwelling unit under the present provision. In the five areas represented by the neighborhood groups requesting a change the lot sizes tend to be larger than elsewhere. A survey just conducted by the Cow Hollow Improvement Club shows 98 lots in Cow Hollow that are 6,000 square feet or larger.

Elsewhere in the city, the larger R-1 lots are for the most part either double lots, both developed and undeveloped, and unsubdivided property, often in the interior of odd-shaped blocks and undeveloped.

The provision in question also applies to existing buildings on large lots that are sought to be converted to two or more units. Some such buildings have been converted for economic reasons, and the provision has allowed retention of these buildings rather than demolition and subdivision of the land.

A complete record is not available as to the instances in which the present R-1 density provision has been used since its effective date in 1960 to allow more than one unit on a lot. The staff estimates, however, that there have been no more than a dozen such cases.

Deletion of the present provision would remove from the Code all flexibility in R-1 single-lot situations. It would appear that it would even prohibit recourse to variances or Planned Unit Developments as an alternative means of permitting reasonable development.

On the other hand, the staff has found that the present provision is capable of abuse, especially on undeveloped land in odd-shaped blocks. Such abuse could be prevented by requiring that each case be considered on its own merits through conditional use procedures."

Mr. Steele then distributed copies of two draft ordinances which had been prepared by the staff of the Department of City Planning for consideration by the Commission. The first draft ordinance would provide that not more than one one-family dwelling shall occupy a lot in an R-1-D or R-1 district except as otherwise provided for transitional uses. The second draft ordinance would allow the Commission to consider requests for more than one dwelling unit on R-1 lots as the subject of conditional use applications;

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however, the ordinance language would authorize the Commission to approve such conditional use applications only where (1) each dwelling unit has a separate outside main entrance; (2) the proposed development will be consistent with the patterns of development in the vicinity; and (3) further subdivision of the lot to permit a like number of dwelling units would be impractical. The present three thousand square foot per unit density requirement of the City Planning Code would be retained. Mr. Steele also noted that general criteria for conditional uses specified in Section 303(c) of the City Planning Code would also apply when conditional use requests for more than one dwelling unit on an R-1 lot were being considered. Those criteria include a requirement that the development be necessary or desirable for, and compatible with, the neighborhood or the community, and that it not be detrimental to the area in terms of such aspects as the arrangement of the proposed building or traffic generation.

Mr. Steele then distributed photographs of apartment buildings which had been constructed in Sunset Heights and in Visitacion Valley in accordance with the present language of the City Planning Code which he deemed to be completely inappropriate with adjacent developments.

The Secretary called attention to communications which had been received from Albert Meakin of the Citizens Planning Committee, from Frank Hinman, Jr., President of the Russian Hill Improvement Association, and from Dr. and Mrs. Richard Coopersmith favoring an amendment to the City Planning Code which would allow only one dwelling unit on an R-1 lot. A letter had been received from Robert P. Lilienthal, President of the Presidio Heights Association of Neighbors, suggesting that the following requirement should be adhered to if more than one dwelling unit were to be allowed on an R-1 lot:

"Not more than one dwelling unit may be established on any lot, unless the lot contains 3,000 square feet of lot area per unit, a lot frontage of 25 feet per unit, and the lots are vertically rather than horizontally defined. No conversion to additional units (rental) in existing single-family homes. No boarding or rooming houses to be established. Lot area minimum of 2,500 square feet. Minimum lot width of 25 feet. Maximum height of 35 feet (40 feet on steep upward slopes)."

A letter had been received from William H. Gilmartin, 2224 Clay Street, favoring procedures which would allow more than one dwelling unit on R-1 lots when at least 3,000 square feet of property is available for each unit; however, he felt that such units should be allowed only after specific review by the City Planning Commission. Rolf Eissler, 2340 Sutter Street, had written urging that the City Planning Code be changed so that only single-family homes and not multiple dwellings would be allowed on R-1 lots. He also hoped that the Code could be changed to prohibit construction of buildings on lots which have a width of only 23 and 1/2 feet.



Daniel Volkman, President of the Cow Hollow Improvement Club, called on Raymond P. Haas to make a presentation on behalf of his organization.

Mr. Haas stated that Cow Hollow would be affected by the proposed changes in the zoning ordinance since property in the area is presently zoned R-1. He stated that he found the present language of the Code to be unacceptable because of the latent ambiguity between Sections 227 and 202.1 and because the Code allows changes which are inconsistent with the present character of neighborhoods such as Cow Hollow. While he believed that the present language of the Code permits construction of additional flats or apartments but not separate buildings on R-1 properties, other people were of the opinion that the Code permits separate buildings and not flats. Mr. Haas advised the Commission that a letter had been addressed to the members of the Cow Hollow Improvement Club requesting their reaction to the proposed change in the City Planning Code which would allow only one dwelling unit to be constructed on an R-1 lot. In response, 207 votes in favor, 10 votes against, and 2 responses indicating no opinion had been received. Those objecting to the proposal had remarked that the change in the Code might result in unfairness towards property owners who own large interior lots or irregularly shaped lots with little street frontage; and they had also favored retention of a certain amount of flexibility in the Code.

With regard to the alternate proposal recommended by the staff of the Department of City Planning involving conditional use procedures, Mr. Haas stated that it was his opinion that such an approach would result in an "overkill treatment". Since the average lot of record in San Francisco has a depth of 137 and 1/2 feet, a lot would have to have a frontage width of only 44 feet to qualify for conditional use approval for two-dwelling units based on 3,000 square feet of lot area for each unit. Under such circumstances, the two units would have a street frontage six feet less than would ordinarily be required. Similarly a 66-foot-wide lot could be resubdivided for three dwelling units and would fall nine feet short of the ordinary frontage requirements of the City Planning Code.

Mr. Haas advised the Commission that the Cow Hollow neighborhood has approximately 98 lots which could accommodate more than one dwelling unit under the present provisions of the City Planning Code; and he indicated that approximately 70 lots of a similar nature are located in Presidio Heights. Since property values and building costs are rising, he expected that more people would want to take advantage of any "loopholes" which might exist in the City Planning Code; and, while they may not have known of the "loopholes" before this hearing, they would certainly be aware of the situation in the future. Under the circumstances, if the Commission were to approve the conditional use approach recommended by the staff, he believed that it would be faced with more applications than it would be able to handle. Since it was obvious that the Commission could not consider all proposals on a conditional use basis, it seemed apparent to him that a line would have to be drawn somewhere. Therefore, if the staff were still concerned about the problem of flexibility, he suggested that they should limit the conditional use approach to certain sections of the city instead of supporting general language which would affect the city as a whole. Furthermore, if the



conditional use approach were to be followed, he felt that guidelines should be established in the text of the City Planning Code to guide the decision of the Commission in each specific instance. Of course, time would be required for the staff to prepare such guidelines; and that would pose a question as to what should be done during the interim. His suggestion was that the Commission should take action to change the last line of Section 127 of the City Planning Code to prohibit more than one dwelling unit on an R-1 lot until such time as the staff of the Department of City Planning is able to formulate reasonable guidelines to be used by the Commission in reviewing conditional use applications for more than one dwelling unit on an R-1 lot.

If the Commission should express a preference for the conditional use procedures recommended by the staff, Mr. Haas suggested that consideration should be given to increasing the square footage requirement for each dwelling unit. He noted that the amendment as proposed by the staff would allow people owning rectangular lots with no special problems to file conditional use requests for additional dwelling units; and, as a result, he believed that the effect of the amendment would be to change the frontage requirements of the City Planning Code to allow construction of houses on lots having a width of only 22 feet. He felt that all lots in the city should be required to conform to the City Planning Code's requirements for frontages of 33 or 25 feet; and, since most of the lots in the city have a depth of 137 and 1/2 feet, he felt that additional units should not be allowed on an R-1 lot unless 3,437 square feet of lot area is available for each unit in districts having 25-foot frontages and unless 4,537 square feet of lot area is available for each unit in districts having 33-foot frontages. In cases where lots are irregularly shaped or subject to other unusual conditions, he felt that a square footage of 4,000 square feet per unit should be required. In conclusion, he reiterated his basic recommendation that the City Planning Commission defer action on the conditional use approach and that it take immediate action to delete the last sentence from Section 127 of the City Planning Code so that no more than one dwelling unit would be allowed on an R-1 lot.

Commissioner Fleishhacker felt that it would not be wise to give too much weight to the responses which had been received from the Cow Hollow Improvement Club's questionnaire since a complete exposition of the case had not been presented and since the essence of the question asked was "Do you want your neighborhood downgraded or destroyed". Furthermore, while 98 lots had been cited as being large enough to accommodate more than one dwelling unit under the present provisions of the City Planning Code, he noted that many of the lots are presently developed with substantial dwellings; and he doubted that any effort had been made by the Cow Hollow Improvement Club to determine how many of the existing dwellings could reasonably be expected to be torn down. He suspected that a large number of the 98 lots cited are presently occupied by relatively new buildings; and, under such circumstances, he doubted that they would be available for multiple-unit development in the near future. Finally, while Mr. Haas had interpreted the present provisions of the City Planning Code as being designed to allow



apartment houses on lots containing 6,000 square feet, he was not aware of any language in the Code which would allow such a development.

Mr. Haas replied that the Code would allow construction of an apartment house containing only two units on a 6,000-square-foot lot. After Commissioner Fleishhacker had asked for his definition of an apartment house, Mr. Haas replied that he would define an apartment house as multiple family dwellings vertically arranged with separate entrances.

Commissioner Fleishhacker asked if Mr. Haas were aware of any such buildings presently existing in an R-1 district. Mr. Haas replied that there are a number of that type of buildings in Presidio Heights.

Commissioner Fleishhacker stated that he did not believe that the conditional use procedure being recommended by the staff of the Department of City Planning would allow construction of such buildings on R-1 properties since the buildings would probably not be consistent with the character of the neighborhood in which they would be located.

Mr. Haas stated that such a decision would be made at the discretion of the Commission in each instance if the ordinance language recommended by the staff of the Department of City Planning were to be adopted. For that reason, he had previously recommended that the staff should formulate specific factors which should be considered by the Commission in reaching its decision on conditional use applications for more than one dwelling unit on R-1 lots. He remarked that he had disagreed with the Commission's interpretation of the pattern of development in downtown San Francisco in the past; and, under the circumstances, he felt that it would be desirable if the standards to be used by the Commission in reaching decisions which would affect residential districts could be spelled out in detail in the City Planning Code so that there would be no difference of opinion as to whether a building being proposed would be of the same character as the neighborhood in which it would be located. Mr. Haas agreed with Commissioners' criticism of the questionnaire which had been mailed to members of the Cow Hollow Improvement Club; however, he felt that it was still important to note that an overwhelming majority of the people who had responded had been opposed to the construction of more than one dwelling unit on an R-1 lot. He stated that most people would not read nor understand a complete exposition on such a subject; yet, they feel in their hearts that they do not want to have their neighborhood changed. He stated that he had no answer regarding the number of large houses which might be torn down in the near future; however, he felt it fair to state that a substantial number of the 98 lots cited could be expected to come before the Commission as conditional use matters.

The Director stated that he had to leave the meeting in order to catch an airplane; however, before leaving, he wished to make a statement in behalf of the staff's recommendation for the conditional use approach to the problem under consideration. He stated that the staff felt concern for the problem

1. The first group of people who are interested in the development of the country are the government officials. They are responsible for the overall development of the country and for the implementation of the national policy. They are also responsible for the allocation of resources and for the monitoring of the progress of the development projects.

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which had been presented by the neighborhood associations; however, he felt that the solution which they were supporting would be too rigid and inflexible. He did not believe that the conditional use approach being recommended by the staff would encourage a large number of people to request permission to construct more than one dwelling unit on an R-1 lot; and, in fact, the Department of City Planning had received an average of only one case per year over the past ten years dealing with the type of problem presently under consideration. He was confident that neither the Commission nor the staff would be inundated with conditional use applications if the proposed amendment were adopted; and he indicated that he would not have recommended that approach if he had felt otherwise. Whereas Mr. Haas had claimed that almost all lots in the city have a depth of 137 and 1/2 feet, he advised the Commission that the standard sized R-1 lot in fact has a depth of only 120 feet. Therefore, standard lots with a width of 25 feet have an area of 3,000 square feet whereas standard lots with a 50-foot width have an area of 6,000 square feet; and it was on the basis of that knowledge that the staff of the Department of City Planning had formulated its recommendation that more than one dwelling unit might be allowed on an R-1 lot as a conditional use if 3,000 square feet of lot area is available for each unit. Under those circumstances, the language of the proposed ordinance would prevent the "overkill" situation referred to by Mr. Haas except in the case of irregular lots which have a depth of more than 120 feet. He noted that the letter from Mr. Gilmartin had in effect been an endorsement of the recommendation being offered by the staff; and he noted that the letter from the Presidio Heights Association of Neighbors had supported the same type of approach. In conclusion, he again urged that various considerations be given to the recommendations of the staff.

Commissioner Fleishhacker stated that he would never be willing to approve apartment houses or flats in R-1 districts; however, he wondered if such buildings could be approved if the language being recommended by the staff were to be adopted. The Director replied in the negative indicating that both the requirement for separate entrances and the requirement that the new buildings be consistent with the pattern of development in the immediate vicinity would rule out the possibility of such buildings.

Commissioner Ritchie felt that it was unfortunate that the city had originally been plotted with 25-foot-wide lots which seemed to him to be exceptionally narrow; and he believed that the people who have acquired larger lots in R-1 districts have done so on purpose with complete understanding that even though the lots were large they were intended for single-family dwellings. He felt that people who buy property in R-1 zoning districts do so because of the single-family character of those areas; and once the practice is begun of splitting up R-1 lots, the value of R-1 property will increase to such an extent that other property owners will have no alternative but to subdivide their properties, also. He was also of the opinion that nothing could be more disastrous than the construction of a large building in the center of a block; and, as a result, he was curious to know how many odd-shaped lots might exist in R-1 neighborhoods.



The Director pointed out that R-1 zoning is significantly different from R-1-D zoning insofar as the R-1 zoning district is not necessarily characterized by the presence of side yards. Commissioner Ritchie replied that he was aware of the distinction between the two districts; and he indicated that the distinction did not change his mind with regard to the matters currently under consideration.

The Director remarked that new single-family dwellings can be provided in San Francisco only if townhouses are encouraged and permitted. He felt that it should be realized that the future of the city does not promise a great deal of R-1-D-type construction.

Commissioner Ritchie pointed out that the legislation being recommended by the Director would allow R-1 lots to be subdivided; and it was his opinion that only one dwelling unit should be allowed on an individual R-1 lot.

Mrs. James B. Lawry, 2731 Green Street, stated that she had made the map showing the location of the 90 lots in Cow Hollow which have an area in excess of 6,000 square feet; and she emphasized that each of those lots could be developed with more than one unit under the present provisions of the City Planning Code. She stated that she did not favor the conditional use approach being recommended by the staff of the Department of City Planning since no matter how carefully an individual case might be considered by the City Planning Commission, its decision would always be subject to appeal to the Board of Supervisors, the members of which are not planners. In conclusion, she stated that she did not believe that lots located in R-1 zoning districts should be allowed to be developed with multiple units or with condominiums.

Peter Fay, 3060 Pacific Avenue, appeared as President of the Pacific Heights Improvement Club and advised the Commission that most of the points which he wished to make had already been raised by Mr. Haas. However, he wished to comment upon one instance which had occurred about a year ago when residents of his neighborhood had noticed that a large home in the area was being prepared for conversion to multiple dwelling units. He stated that he had been particularly surprised at the development since he did not feel that the intent of the City Planning Code had been to allow houses in R-1 districts to be converted into multiple dwellings. Yet, in reviewing the situation, the staff of the Department of City Planning had felt a "persuasion for certain logic" and had found a "loophole" in the Code. Finally, "justice had won out" and the permit had been denied both by the City Planning Commission and by the Board of Permit Appeals. In order to prevent similar problems from arising in the future, he felt that the City Planning Code should absolutely prohibit the conversion of R-1 houses into multiple-dwelling units, even of the mother-in-law apartment variety. He did not favor the conditional use approach being recommended by the staff of the Department of City Planning since other courses of action, such as filing variance applications, are open to people who have real hardships.



Sherwood Stockwell, 21 Presidio Avenue, stated that he occupies a vertical flat in Pacific Heights; and, while he might be regarded as being underprivileged as a result, he stated that he enjoys his home very much. He stated that he had been involved in planning, and he noted that he lives in the same neighborhood as the other people who had spoken earlier in the meeting. Unlike the other speakers, however, he felt it important to realize that the problem under consideration did not involve just Cow Hollow and Pacific Heights but the entire City of San Francisco; and he did not feel that legislation affecting 750,000 people should be passed merely because it would benefit 300 people. He indicated that he supported the approach suggested by Mr. Lilienthal in his letter which would allow more than one unit on an R-1 lot at the discretion of the Commission in cases where at least 3,000 square feet of lot area would be available for each dwelling unit. He noted that people are moving out of other areas of the city; and he felt that the people living in his own neighborhood should be concerned about neighborhoods other than their own. Under these circumstances, he urged the Commission to approve the conditional use approach which had been recommended by the Director of Planning.

Atherton Phleger, 3575 Washington Street, stated that he unequivocally supported the recommendation of the staff of the Department of City Planning; and he felt that it was tragic that a hearing of the sort presently under way which would affect the entire city had arisen because three new townhouses were proposed for construction on Union Street. He felt that the people who were urging adoption of the proposed amendment which would allow no more than one dwelling unit on an R-1 lot had forgotten to think of the importance of balance in San Francisco. He stated that 87 lawyers work in his law office; and only seven of those individuals are able to afford housing in San Francisco. He believed that San Francisco is becoming a city of the very rich, the very poor, and the elderly; and he did not feel that any ordinance which would further restrict use of the city's limited amount of residential property should be entertained seriously. In any case, before taking action on either of the proposals presently under consideration, he felt that the Commission should give notice to people from other areas of the city and give them an opportunity to be heard.

Commissioner Porter stated that the proposed ordinance had not been brought to the attention of the Commission because of any problem arising in the Sunset District or West of Twin Peaks but because someone had attempted to subdivide a single-family house located at Pacific Avenue and Lyon Street. She felt that the reason that the various neighborhood associations had requested a Code amendment concerning the R-1 zoning district was to see if it would be possible for the Commission to give their fine residential neighborhoods some degree of protection similar to that enjoyed by Sea Cliff and St. Francis Wood in the form of deed restrictions. She stated that she did not agree with the Director of Planning that townhouses should be built in Pacific Heights and Cow Hollow on large R-1 lots; and she indicated that she would be amazed if more than one or two irregular interior lots exist in any R-1 district in the city.



Commissioner Ritchie felt that Mr. Phleger's arguments had "run in circles" as he had spoken of his concern for other areas of the city. He felt that it should be clear to everyone that the only large R-1 lots which might be affected by the proposed ordinance are located in Pacific Heights and Cow Hollow. The other areas of the city such as Visitacion Valley, west of Twin Peaks, and the Sunset District, are almost completely developed and are subdivided into 25-foot-wide lots.

Mr. Phleger stated that he had been concerned about people who might wish to move into the city and who cannot find single-family homes available at a price which they can afford. In any case, he questioned whether Pacific Heights will retain its present character as a neighborhood of large houses on large lots; and he assumed that if the City Planning Commission were to adopt ordinance language which would allow no flexibility in the treatment of R-1 properties, the owners of those properties would be forced to tear down the existing houses and to resubdivide the properties into 25-foot lots. Under the circumstances, he felt that the alternate ordinance language being recommended by the Director of Planning would be preferable. Yet, even the language recommended by the Director of Planning would not provide as much flexibility as the existing language of the Code which provides for the retention of older buildings by allowing them to be converted into apartments if sufficient lot area is available; and he personally saw nothing wrong with the idea of having two families live in some of the city's large, old houses. In any case, he emphasized that the R-1 zoning district is designed to encourage the construction of row houses and not detached houses of the type which seemed to be favored by some of the other speakers.

Commissioner Fleishhacker asked if he were correct in understanding that Mr. Phleger's principal recommendation would be to retain the present language of the Code but that he would prefer the ordinance language recommended by the Director of Planning if a change were to be made. Mr. Phleger replied in the affirmative, noting that even under present circumstances the Commission may exercise its discretionary authority to review permit applications for specific projects.

John Field, 2551 Washington Street, remarked that the growth pattern of San Francisco has become more and more dense; and he felt that this trend, which is common to all metropolitan areas, could not be stopped. Under the circumstances, he felt that the question which needed to be faced was not how to shut off further development but how to shape it. He noted that some subdivision developments had been undertaken in Cow Hollow which are "really terrible"; and he felt it important to realize that living patterns and economic forces are more powerful than the City Planning Code. Furthermore, while some of the speakers had inferred that a lot with a width of less than 25 feet would necessarily result in the construction of a bad house, he indicated that he had seen very interesting houses in Georgetown and in New York City which have been constructed on lots ranging from twelve to seventeen feet in width. He did not feel that the City Planning Code should be



"tacked onto" as individual people have problems; rather, the provisions of the City Planning Code should evolve with the growth of the city. He believed that different types of people will be living in the city in the future; and he felt that they would definitely be living in townhouses. Since the present language of the City Planning Code provides adequate control as well as adequate flexibility, he felt that it should not be changed.

Commissioner Porter stated that the minimum lot size ordinance had been adopted in 1945 because economic forces were beginning to result in the subdivision of large lots into smaller and smaller portions; and she felt that the minimum lot-size ordinance is of great importance. She asked Mr. Field if he was of the opinion that there should be no standards governing minimum lot size. Mr. Field replied in the negative; however, he indicated that the actual dimensions of a lot did not seem to him to be important.

Commissioner Ritchie asked Mr. Field to comment upon the minimum lot size standard which he would regard as necessary. Mr. Field replied that a definite answer to the question would require study; however, he estimated that a minimum lot size of 1,500 square feet might be adequate.

Commissioner Porter replied that lots with an area of 1,500 square feet would provide very little open space; and she did not feel that houses built on such lots would retain their value.

Mr. Field stated that he would be in favor of lots of that size as long as it is possible to sell houses located on them for \$45,000.

Commissioner Ritchie stated that he could not believe that families would be interested in living on 1,500-square-foot parcels with widths of only ten feet. Mr. Field replied that economics would eventually resolve the problem; and he did not believe that lots with dimensions of 10 feet by 150 feet would ever be created.

Mr. Fay stated that he did not wish to see people have to leave the city; however, he felt that it would be important to preserve San Francisco's family neighborhoods, and he did not feel that it would be possible for people to raise families on small lots.

Commissioner Ritchie stated that houses are selling well in Pacific Heights and Cow Hollow; and he had not noticed any large houses sitting empty. In other areas of the city, no vacancy problems are being experienced.

J. Darwin, 2526 Union Street, advised two of the members of the Commission who were absent last week that Mr. Phleger, Mr. Stockwell, and Mr. Field had appeared before the Commission on March 12 to represent a client who proposed to build three townhouses on an R-1 lot on Union Street. While he acknowledged that the three individuals might be genuinely concerned about the matter before the Commission, he felt that it should be realized

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that they had been involved in a specific case which was closely related to the matter presently under consideration.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried 3-2 that further consideration of the subject matter be taken under advisement indefinitely. Commissioners Fleishhacker, Porter, and Kearney voted "Aye"; Commissioners Newman and Ritchie voted "No".

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary



SAN FRANCISCO  
CITY PLANNING COMMISSION

Minutes of the regular meeting held Thursday, March 26, 1970.

The City Planning Commission met pursuant to notice on Thursday, March 26, 1970, at 2:15 p.m. at 100 Larkin Street.

PRESENT: James S. Kearney, President; Walter S. Newman, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, Mrs. Charles B. Porter, and John Ritchie, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation; Richard Gamble, Planner IV; James White, Planner III - Urban Design; Dennis Ryan, Planner II, Urban Design; William Duchek, Planner II, Urban Design; and Lynn E. Pio, Secretary.

Harry Johannsen represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Newman, seconded by Commissioner Porter, and carried unanimously that the minutes of the meeting of March 5, 1970, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reported that the Finance and Planning and Development Committees of the Board of Supervisors, meeting jointly yesterday, recommended a "do pass" on a motion to authorize the Department of City Planning to file an application with the Federal Government for a 701 Grant for a housing and recreation study of Chinatown to be paid in part by a cash contribution from the City. The Committees also recommended adoption of a motion to authorize the Department of City Planning to file an application with the Federal Government for funds for the Bayview-Hunters Point Model Neighborhood Agency which will involve no local cash contribution.

The Director advised the Commission that he will be out of the City from April 1 through April 10, inclusive.

The Director informed the Commission that the permit applications for construction of three townhouses at 2551 Union Street which were disapproved by the Commission on March 12 will be heard on appeal by the Board of Permit Appeals on Monday, April 6.



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The Director advised the Commission that he has been asked to serve on the Awards Committee of the National Endowment for the Arts."

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

The Director distributed copies of the memorandum which he had prepared for submittal to the Board of Supervisors in compliance with its request for review of a Federal Archives Building proposed by Government Services Administration for Fort Miley. This memorandum, dated March 26, 1970, is available in the files of the Department of City Planning. After describing the proposed project and commenting upon land use and design elements of the project, the memorandum stated the following conclusions.

- "1. The use of this land as a warehousing activity and, in particular, as a Federal Archives Building is inappropriate.
2. The stated land use policy of the Board of Supervisors also opposes this project.
3. As designed, this building does not meet the Urban Design criteria established for this site, nor does it meet design requirements as established by the Board of Supervisors in Resolutions 80-69 and 165-69."

Commissioner Porter asked if it would be possible for the Director to recommend to the GSA that the Old Mint building at 5th and Mission Streets be used for the Archives Building. The Director replied that he could offer the suggestion; however, in all honesty, he did not know if the Old Mint would be adaptable for such use.

Commissioner Ritchie asked how much floor space is required for the Archives Building. The Director replied that the building being proposed would contain approximately 140,000 square feet of floor area.

Commissioner Ritchie, after reviewing his sketch of the proposed building, stated that the building had been designed to look exactly like an industrial building. The Director replied that the architect had only followed instructions in preparing designs for the building; and he indicated that he was more concerned about the proposed use of the site than about the design of the building.

Commissioner Newman, noting that the Board of Supervisors' resolution passed in March, 1969, had urged that the General Services Administration investigate the possibility of negotiating with the State of California for the acquisition of the National Guard Armory building at Mission and 14th Streets, for the purpose of accommodating the Archives operation, asked what the outcome of those negotiations had been. The Director replied that the negotiations had apparently not led to positive results.



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Paul Hannon, Regional Administrator of the Government Services Administration, stated that he had been advised by the Adjutant General in Sacramento that the National Guard Armory building would not be available and that the cost of demolition of the building would be prohibitive in any case.

Commissioner Fleishhacker asked Mr. Hannon how much usable floor space would be required for the Archives building. Mr. Hannon replied that approximately 130,000 square feet of usable floor space would be needed. He went on to explain that the present site of the Archives building would be acquired by the State Division of Highways; and that Agency had agreed to construct a new building to house the Archives. Following that agreement, a feasibility study had been undertaken to determine which Federal property could be used as the site of the new building; and, as a result of the survey, the subject site in Fort Miley had been selected because other sites were either not available, too expensive, or located in the Presidio. After the site had been selected, the proposed building had been designed; and construction of the building would have to be initiated soon in order to meet time deadlines. He did not consider the proposed building to be in the nature of a warehouse; rather, it would be a depository for Federal records which must be retained for a specific period of time. He stated that the Department of Interior had recommended the type of construction proposed; however, he assured the Commission that every effort would be made to keep as much of the natural environment of the site as possible.

The Director remarked that it appeared that it would be feasible to expand the proposed building eastward on the site; and he asked if there were any plans for such future expansion. Mr. Hannon confirmed that it would be possible to expand the building eastward at some time in the future. He indicated, however, that the building could not be expanded northward because of a dangerous slide area or westward because of the Veterans' Hospital. After constructing a new wing, the hospital intends to use the area south of the proposed Archives building as a parking lot. He remarked that the City had previously had an opportunity to acquire the site for housing; however, residents of the neighborhood had not seemed to be particularly interested in such a development. While others had proposed that the site should be maintained as public open space, he noted that there is already a large amount of open space and recreational area in the vicinity of the site.

Commissioner Ritchie stated that he agreed with every paragraph of the memorandum which had been prepared by the Director of Planning; and he was annoyed by the fact that the community is so often confronted with proposed Federal Buildings which must be "completed immediately." He did not know whether the Board of Supervisors has the power to stop the Federal government from using the City's valuable open space; however, since Fort Miley constitutes a part of the headlands and since it contains bunkers from World War I and World War II which are historically significant, he felt that everything possible should be done to preserve the site as public open space. The proposed building, which would resemble an industrial warehouse, would fill up the site and would exist forever within a few feet of the Palace of the Legion of Honor. He personally objected to the building; and he felt that the Commission should use every device possible to make the GSA stop and realize what it is doing to San Francisco.



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Commissioner Fleishhacker asked about the floor area of the existing facility. Mr. Hannon replied that the floor area of both the existing and the proposed would be roughly the same; however, the new building will be laid out in a different configuration.

Commissioner Fleishhacker asked if the older records at the Archives Building are eventually eliminated or if the volume of records kept is constantly expanding. Mr. Hannon replied that there is a gradual expansion of the volume of records being kept. In response to further questions raised by Commissioner Fleishhacker, Mr. Hannon estimated that the proposed building will be expanded over the bunker area in ten or fifteen years to provide 40,000 additional square feet of floor area.

Commissioner Fleishhacker remarked that the expansion rate cited by Mr. Hannon would average out to be an expansion of 4,000 square feet each year; and he noted that the expansion could be expected to proceed into the indefinite future. He asked how many of the materials stored in the Archives Building actually have historic or scholarly value. Mr. Hannon replied that all of the documents stored in the Archives Building are required to be retained.

Commissioner Fleishhacker then inquired about the amount of money to be paid by the State of California for the Federal property being condemned and about the cost of the proposed building. Mr. Hannon replied that the State would pay \$2,700,000 for the condemned property; and he estimated that the proposed building would cost approximately the same amount of money.

Commissioner Fleishhacker suggested that under the circumstances the proper thing for the GSA to do might be to acquire a parcel of property in an industrial area with a portion of the money and to build a building costing only \$1,000,000 at the present time.

Mr. Hannon stated that the Archives Building is presently located in an industrial area; and he indicated that some difficulties have arisen because of the location of the building.

Commissioner Porter felt that the Commission should be concerned only with the appropriateness of the specific site in Fort Miley for the proposed Archives Building and that it should not become involved in a discussion of other possible sites for the facility. She believed that other public agencies should not necessarily be regarded as villains; and she pointed out that the GSA does not act on its own initiative but on the request of other Federal departments.

Mr. Hannon stated that it was his understanding that the Board of Supervisors, in adopting their resolution in March, 1969, had agreed that the Archives Building could be constructed on the Fort Miley site subject to design review of the building by the Department of City Planning.



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Commissioner Newman asked if the GSA was under a legal obligation to locate the proposed building in San Francisco. Mr. Hannon replied in the negative. He remarked, however, that the records kept in the building should be located so as to be readily available for the people who are using them; and he noted that San Francisco is the major office city of the area.

Commissioner Ritchie, replying to comments which had been made by Commissioner Porter, stated that he did have respect for the GSA as a government agency. However, he had been born and raised in the United States Army and had spent much of his time on the Presidio and in Fort Miley. He stated that the Forts in San Francisco had originally been installed as part of a network of coast artillery installations which had been disbanded 25 years ago. Therefore, the Forts had belonged to the Federal government because it needed them to protect the harbor; and ownership of the sites by the Federal government has continued in spite of the fact that they are no longer used for their original purpose. Fort Miley is already developed with a very important Veterans' Hospital; and he did not feel that the remainder of the site should be used for the large building being proposed, thus taking away valuable open space. In conclusion, he stated that he could not accept the validity of the GSA's statement that all other sites had been considered and that the Archives Building must therefore be constructed on Fort Miley.

Commissioner Porter pointed out that the Commission could take the position that the Archives Building should not be constructed in Fort Miley; and, following such an action, it would be the responsibility of the GSA to find another location for the Archives Building.

The Director agreed with Mr. Hannon that the Board of Supervisor's resolution adopted in March, 1969, had stated that the Archives Building could be located in Fort Miley if no alternate sites were available; however, if the building were to be constructed in Fort Miley, adherence to the urban design in terms of reference proposed by the staff of the Department of City Planning would be most important. Commissioner Mellon asked the Director if he were satisfied that the GSA had met the instructions of the Board of Supervisors to confer with the Department of City Planning. The Director replied in the affirmative.

President Kearney recommended that a subcommittee composed of Commissioners Fleishhacker and Ritchie, should be established to view alternate sites for the proposed facility and to report back to the full Commission next week. In the meantime, he felt that it would be appropriate to address a letter to the Board of Supervisors expressing the Commission's "outrage" over the proposal to construct the Archives Building in Fort Miley. After further discussion, it was moved by Commissioner Newman, seconded by Commissioner Finn, and carried unanimously that the subcommittee be established and that the letter be sent to the Board of Supervisors as recommended by President Kearney.

R70.8      West side of Hawthorne Street between Folsom and  
              Harrison Streets, change in sidewalk width.

R. Spencer Steele, Assistant Director-Implementation, reported on this matter as follows:



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"Hawthorne Street is within the boundary of the Yerba Buena Center and the Redevelopment Agency wishes to beautify the west side of the street with trees. The sidewalks are 5 feet wide and the roadway 40 feet in the block between Folsom and Harrison Streets. On the west side, buildings at each end of the street will be retained; a new garage structure will be built in the center of the frontage.

"The Department of Public Works has suggested that the sidewalk only be widened to 8 feet rather than 9 feet as originally requested, and the staff of the Redevelopment Agency has acquiesced, so that if the easterly sidewalk is also similarly widened in the future, the roadway would be 34 feet, adequate for two lanes of traffic and two lanes of parking. The street is one-way southbound.

"A railroad spur track will prevent the sidewalk widening for about 100 feet at the south end of the street. The track is in use to serve Caswell Coffee Company, the Redevelopment Agency proposes to widen the sidewalk for the major portion of the block and taper it down to 5 feet where necessary; at a later date, if the spur is no longer required, it would be widened along the remaining frontage.

"The Director recommended that the proposed change in official sidewalk width be approved as in conformity with the Master Plan provided that the sidewalk is not actually widened where there is a spur track immediately adjacent to it."

After discussion, it was moved by Commissioner Mellon, seconded by Commissioner Newman, and carried unanimously that the Director be authorized to report that the change in official sidewalk width along the west side of Hawthorne Street from 5 feet to 8 feet is in conformity with the Master Plan, provided that the sidewalk is not actually widened where there is a spur track immediately adjacent to it.

R70.13      Surplus property inquiry, Lot 29, Block 6744,  
Kern Street and Brompton Avenue.

R. Spencer Steele, Assistant Director-Implementation, reported on this matter as follows:

"Lot 29, Block 6744, was one of the properties acquired by the City for the widening of Bosworth Street in the stretch between Diamond and Elk Streets. Lot 29 is 66 by 162.5 feet and has frontages on Bosworth Street, Brompton Avenue, and Kern Street, and is just 33 feet west of Diamond Street. Approximately the southerly third of the lot slopes downward from Bosworth Street and has been landscaped along with the other properties bordering Bosworth Street on its north side up to Elk Street. Thus, the level portion of the lot which has not been landscaped is approximately 40 feet deep and 162.5 feet long. A two dwelling unit building on the lot is beyond repair and will be demolished.



"The Bosworth Street landscaping was completed about a year ago and the cost was used as a part of the City's contribution to the Glen Park FACE program.

"The easterly 62.5 feet of the lot closest to Diamond Street is zoned C-2; the westerly 100 feet is zoned R-2.

"Lot 27 in the same block was not acquired for the widening project and is occupied by a commercial building containing two stores fronting on Diamond Street.

"The Glen Park BART station is under construction in the block diagonally across from this site at Diamond and Bosworth Streets. The Glen Park neighborhood shopping area has suffered some disruption because of the construction which should be overcome after completion of the rapid transit system. The flat portion of Lot 29 is ideally located just off Diamond Street to provide a parking lot under the City's neighborhood parking program. The lot is not big enough to provide significant parking space for the BART station, but about 16 cars could be accommodated in metered parking spaces which should help the shopping district's patrons. Use of this lot for a public parking lot would obviate the later necessity of condemning property for the purpose."

The Director recommended that sale of the property be disapproved as in conflict with the Master Plan because a portion of it has been landscaped by the City as a part of the Bosworth Street widening project and because the remainder of it should be reserved for a public parking lot under the City's neighborhood parking program. He remarked that if the property has value now, it will be even more valuable in the future because of the proximity of the BART station.

Bernard Kelly, one of the petitioners, stated that he and his associate own properties located at 2860 Diamond Street and at 2833-43 Diamond Street. He stated that they had first become interested in the subject property when they had learned that any remnants of property left over from the Bosworth Street widening project would be sold at auction. He stated that the building presently occupying the property is in a run-down condition; and the property is used as a dumping area. As of 60 days ago, the building had been vacated; and, in conversations with the Real Estate Department of the City and County at that time, he had been advised that the building would be demolished. He had expressed an interest in the property, indicating that he would be willing to renovate or to demolish the building himself; and the Real Estate Department had suggested that he write a letter to the Director of Public Works to inquire about the availability of the property. In reply, the Director of Public Works had advised him that the City has no further need for the property and that the matter would be referred to the Department of City Planning for a report on whether sale of the property would be in conformity with the Master Plan. If he were to obtain ownership of the property, he would clean up the site, maintain the landscaping, and black-top the surface of the property. The site would then be used for parking, including special parking spaces for the Librarian of the Branch Library and members of her staff. He expected that a large amount of traffic would be generated by construction of the new convalescent hospital on Bosworth Street; and he felt that the proposed parking lot would be used by individuals involved in that construction project. The parking lot would also be of service to the adjacent bank. If necessary, the parking lot would be closed by a chain at

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night. In conclusion, Mr. Kelly stated that he was aware that the property would have to be sold at public auction.

Tom Hayes, a partner of Mr. Kelly's, stated that they were primarily concerned about the deplorable condition of the lot at the present time. In spite of the fact that he had already hauled two loads of debris from the lot to public dumps since the first of the year, the property is now littered with two abandoned automobiles, old tires, and garbage. If the City Plans to retain ownership of the property, he felt that it should assume responsibility for maintenance of the property.

Roy Flamm, a resident of the neighborhood, noted that the entire northern side of Bosworth Street had been landscaped; and he felt that sale of the subject parcel of property would have the affect of truncating the entire landscaping project. He stated that residents of the neighborhood had participated in the development of the area through the FACE program; and he felt that it would be unfortunate if the City were to sell property on which landscaping has been installed with public funds for the good of the neighborhood. He stated that the neighborhood needs additional open space at the present time; and he felt that the need would become even greater once the BART system is in operation. In conclusion, he stated that he had previously supported the petitioners when they had proposed construction of a convalescent hospital on Bosworth because he felt that the facility would benefit the neighborhood; however, he did not feel that the parcel of property presently under consideration should be sold for private use.

Joan Seiwald, another resident of the neighborhood, felt that the City should clean up and landscape the remainder of the lot.

Jerry Arkush, also a resident of the subject neighborhood, supported the Director's recommendation.

Mrs. Scripps, also a resident of the subject neighborhood, stated that she had been advised by the Director of Planning, on the telephone, that he would not consider approving sale of the property for at least two years; and she hoped that a commitment could be given that no high-rise building would be allowed on the site if the property were to be sold at some future date.

The Director stated that it was his opinion that the property should be used only for low-rise construction; however, he advised Mrs. Scripps that he could not guarantee that another type of construction would not be allowed on the site in the future.

Commissioner Mellon asked if residents of the neighborhood would oppose use of the subject property for a city-owned parking lot. Mr. Flamm replied in the negative; and he indicated that he believed that the parking lot could be designed so that it would not be visible from the street. Most importantly, however, residents of the neighborhood were concerned that the landscaping effect which was designed to achieve a link between Diamond Street and Glen Park should not be broken by elimination of the subject parcel of property from the chain.



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Mrs. Scripps asked if the Commission could defer its decision on the matter until the next meeting of the Glen Park Neighborhood Association has been held. President Kearney indicated that the Commission would give consideration to that request.

Mrs. Spurgeon, a resident of the subject neighborhood, felt that the subject parcel of property would be extremely valuable once the BART system has been completed since it is located directly across the street from the Glen Park station. Under the circumstances, if the City was contemplating sale of the property, she felt that the property should be held long enough so that the City could avail itself of any profit to be made because of the increasing value of the site.

Mr. Kelly assured the Commission that he and his partner would be willing to maintain the landscaping on the property if they were to obtain ownership of it.

Mr. Flamm wondered if the petitioners would also stipulate that they would not use the property for any purpose other than parking and that they would not sell the property to anyone else for the purpose of constructing a building on the site. While he felt that it was proper for the petitioners to be concerned about their own financial gain, he pointed out that residents of the neighborhood have concerns which are just as valid.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Newman, and carried unanimously that the Director be authorized to report that the sale of Lot 29, Block 6744, is in conflict with the Master Plan because a portion of it has been landscaped by the City as a part of the Bosworth Street widening project and because the remainder of it should be reserved for a public parking lot under the City's neighborhood parking program.

Commissioner Fleishhacker remarked that an effort really should be made by the City to clean up the property if it is to remain under City ownership. Commissioner Mellon regretted that the subject property has not been kept clean; however, because of the recent reaction of the taxpayers, the City's budget for such services has been pared to such a point that no funds are available for maintenance of certain city-owned properties. For that reason, he felt that the property should be developed as quickly as possible even if the development were to be undertaken privately.

Commissioner Fleishhacker asked if use of the site for a neighborhood parking lot would be within the realm of possibility. Commissioner Mellon replied in the affirmative, pointing out that money would have to be made available for such a project. The Director stated that he had discussed the matter with the Parking Authority; and, while they had indicated their interest in the proposal, they had not made any definite commitment with regard to such a project.

Commissioner Ritchie suggested that one solution to the problem would be for the Glen Park Neighborhood Association to get together on a regular basis to clean up the property.



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At this point in the proceedings, Commissioner Newman absented himself from the meeting room for the remainder of the meeting.

#### REVIEW OF MARSHALL SQUARE PARKING LOT SIGN

R. Spencer Steele, Assistant Director-Implementation, advised the Commission that a permit application had been filed for installation of a sign measuring 4 feet by 3 feet in the Marshall Square Parking Lot. The sign, which would be attached to an existing sign previously approved by the Commission, would give the name of the operator of the lot and indicate the rate schedule of the lot. He recommended that the sign be approved.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the permit application for the sign be approved.

#### DISCRETIONARY REVIEW OF PROPOSED MOTEL TO BE LOCATED ON JONES STREET EAST LINE, BETWEEN BAY AND NORTH POINT STREETS

R. Spencer Steele, Assistant Director-Implementation, reported on this matter as follows:

"Scheduled for review today by the Commission under its discretionary powers is building application No. 381529 for a new 243 unit motel on the east side of Jones Street between North Point and Bay Streets within the area covered by the proposed amendments to the City Planning Code affecting the Northern Waterfront.

"Your review of this proposal is required because this site, although now classified C-2 with no change contemplated, is located in the proposed Northern Waterfront Special Use District No. 2 recommended by this Commission and now pending before the Board of Supervisors. The proposed regulations governing this special use district permit a hotel or motel only as a condional use.

"During the period that this new special use district and applicable standards are pending before the Board of Supervisors, the City Attorney has advised us that building applications which would be permitted only after conditional use authorization under the proposed Code amendments must be reviewed by the Planning Commission under its discretionary powers. In this review, the Commission should consider the criteria which would apply to conditional use cases once the proposed ordinance is in effect; namely, that the proposed conditional use at that particular site is necessary or desirable to provide a facility which will contribute to the general well-being of the neighborhood or community, that the use will not be detrimental to the general welfare of persons residing or working in the vicinity or injurious

It was found in the proceedings that the evidence presented was not sufficient to establish the guilt of the defendant.

THE PROSECUTOR'S OFFICE HAS BEEN ADVISED THAT THE DEFENDANT IS CURRENTLY ON THE WANTED LIST OF THE FBI.

It is requested that you advise the appropriate authorities of any information you may have regarding the defendant's whereabouts. Your assistance in this matter is appreciated.

Very truly yours,  
Special Agent in Charge

THE FOLLOWING INFORMATION WAS OBTAINED FROM THE BUREAU OF INVESTIGATION ON JANUARY 15, 1964:

On January 15, 1964, the following information was received from the Bureau of Investigation:

The following information was received from the Bureau of Investigation on January 15, 1964: The defendant is currently residing at 1234 Main Street, New York, New York. He is currently employed as a salesperson for the ABC Company. He is currently on the wanted list of the FBI.

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to property in the vicinity, and that the use will comply with applicable regulations of the Planning Code.

"The site of the proposed motel is an "L" shaped parcel with frontages of 275 feet on Jones Street, 77 feet on North Point Street, and 275 feet on Bay Street.

"The proposed 243 motel rooms would be in three stories above the ground level which would be occupied by the lobby, a restaurant and parking. All of the parking (252 independently accessible spaces) would be totally enclosed with most below grade level.

"As measured from the center of the property line along Jones Street, the motel would be 40 feet high; thus within the 40 foot height limitation applicable to this area of the City.

"Off Street loading for the motel and restaurant are provided on Bay Street and North Point Street respectively. All guest parking and pedestrian access for the motel would be off Jones Street. The restaurant could be entered from North Point Street with additional entry from within the motel at the Jones Street entrance.

"The entire site is presently occupied by Ott's Drive-In Restaurant. The remainder of the block is occupied by a service station with a double faced billboard at Bay and Taylor Streets, and retail uses with open parking on the remainder of the block. Directly south across Bay Street is a service station and the North Beach Public Housing structures. West across Jones Street is a service station and the Villa Roma Motel with 60 rooms. Diagonally northwest across the intersection of North Point and Jones Streets, the 343 room Holiday Inn Hotel is under construction. Directly north across North Point is a car-wash and several warehouse type uses. The northwest corner of Columbus and Bay is occupied by a 26 unit motel with open parking and the southwest corner at Bay, Columbus and Jones by a record store also with open parking.

"The Master Plan for this area, adopted June 19, 1969, calls for Bay Street and North Point Street to be one-way east-bound and westbound respectively.



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"The proposed motel conforms in all respects to the C-2 provisions of the Planning Code and generally meets the guidelines established for conditional uses in Northern Waterfront Special Use District No. 2. While the permitted floor area ratio is 3.6 to 1, the limiting factor in controlling bulk in this case is the existing 40 foot height limit. The restaurant, as an accessory use to the motel would not require parking under the provisions of the Planning Code."

At the conclusion of his report, Mr. Steele recommended that the permit application be approved subject to three specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

Commissioner Porter, noting that one of the conditions contained in the draft resolution would require landscaping of the site, asked if the Commission had required landscaping for the Holiday Inn Hotel. Mr. Steele replied that plans for that hotel had been filed before such uses were required to come before the Commission for review; and, therefore, no landscaping had been required. With regard to the motel presently under consideration, Mr. Steele remarked that the staff of the Department of City Planning felt that it would be desirable if the overhead utility wires along Jones Street could be undergrounded; however, they did not feel that such a requirement could be established as a condition for approval of the application.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 6504 and that the application be approved subject to the conditions contained in the draft resolution.

#### PRESENTATION OF PHOTOGRAPHIC SLIDES ON FACE PROGRAM - BEFORE AND AFTER

Richard Gamble, Planner IV, presented a slide show on the FACE program featuring before and after pictures of houses and public improvements in the four initial FACE areas.

Following the presentation, Commissioner Fleishhacker remarked that it would be desirable if some of the photographs which had been shown by Mr. Gamble could be published in the form of a booklet. The Director agreed.

The meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Lynn E. Pio  
Secretary

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As a result of the above, the following is proposed:

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### Discussion

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